

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
VICTOR DIPIETRO	:	VIOLATIONS:
	:	21 U.S.C. § 841(a)(1) (distribution of controlled substances - 11 counts)
	:	21 U.S.C. §860(a) (distribution of controlled substances within 1,000 feet of a school - 6 counts)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	Notice of Forfeiture (21 U.S.C. § 853)

INDICTMENT

COUNT ONE

(Distribution of Marijuana)

THE GRAND JURY CHARGES THAT:

On or about February 2, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 444 grams of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(D), and Title 18, United States Code, Section 2.

COUNT TWO

(Distribution of Marijuana)

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 7, 2005, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 428 grams of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(D), and Title 18, United States Code, Section 2.

COUNT THREE

(Distribution of Marijuana Within 1,000 Feet of a School)

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 7, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 428 grams of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, within 1,000 feet of the real property comprising the Saint Richard's Catholic School, a private elementary school, located at 1826 Pollock Street in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT FOUR

(Distribution of Cocaine)

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 2, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 54.7 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT FIVE

(Distribution of Marijuana)

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 30, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 442 grams of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D), and Title 18, United States Code, Section 2.

COUNT SIX

(Distribution of Marijuana within 1,000 Feet of a School)

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 30, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 442 grams of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, within 1,000 feet of the real property comprising the Saint Richard's Catholic School, a private elementary school, located at 1826 Pollock Street in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT SEVEN

(Distribution of Cocaine)

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 19, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 28 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT EIGHT

(Distribution of Cocaine and Marijuana)

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 5, 2005, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 54.8 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, and knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 432 grams of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and 841(b)(1)(D), and Title 18, United States Code, Section 2.

COUNT NINE

(Distribution of Cocaine and Marijuana Within 1,000 Feet of a School)

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 5, 2005, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 54.8 grams of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 432 grams of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled, substance within 1,000 feet of the real property comprising the Saint Richard's Catholic School, a private elementary school, located at 1826 Pollock Street in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 841(b)(1)(D).

All in violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT TEN

(Distribution of Cocaine and Marijuana)

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 9, 2005, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 27.7 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, and knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 442 grams of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), 841(b)(1)(D), and Title 18, United States Code, Section 2.

COUNT ELEVEN

(Distribution of Cocaine and Marijuana Within 1,000 Feet of a School)

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 9, 2005, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 27.7 grams of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance and knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 442 grams of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, within 1,000 feet of the real property comprising the Saint Richard's Catholic School, a private elementary school, located at 1826 Pollock Street in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), 841(b)(1)(C) and 841(b)(1)(D).

All in violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT TWELVE

(Distribution of Marijuana)

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 23, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 2,222 grams of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D), and Title 18, United States Code, Section 2.

COUNT THIRTEEN

(Distribution of Marijuana Within 1,000 Feet of a School)

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 23, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 888 grams of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, within 1,000 feet of the real property comprising the Saint Monica's Catholic School, a private elementary school, located at 1720 W. Ritner Street in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Sections 841(a)(1) and 841b(1)(D).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT FOURTEEN

(Distribution of Cocaine)

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 8, 2005, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately
130 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II
controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C),
and Title 18, United States Code, Section 2.

COUNT FIFTEEN

(Distribution of Cocaine)

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 26, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 128 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT SIXTEEN

(Distribution of Cocaine Within 1,000 Feet of a School)

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 26, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 128 grams of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, within 1,000 feet of the real property comprising the Saint Monica's Catholic School, a private elementary school, located at 1720 W. Ritner Street in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT SEVENTEEN

(Distribution of Cocaine)

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 5, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendant

VICTOR DIPIETRO

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 127 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

NOTICE OF FORFEITURE

(Drug Trafficking – 21 U.S.C. § 853)

1. As a result of the violations of Title 21, United States Code, Sections 841(a)(1) and 860, as set forth in Counts One through Seventeen of this indictment, the defendant

VICTOR DIPIETRO

shall forfeit to the United States of America, pursuant to Title 21, United States Code, Section 853, the entirety of his interest in:

- (a) any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of any such violation; and
- (b) any property used, or intended to be used, in any manner or part, to commit, or facilitate the commission of, any such violation;

including but not limited to \$29,890 in United States currency, provided to VICTOR DIPIETRO between February 2, 2005 and August 5, 2005 by a cooperating witness known to the grand jury.

2. If any of the property described in paragraph 1, 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 co-mingled with other property which cannot be divided without difficulty;

then it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p),

to seek forfeiture of any other property of the defendant up to the value of the property described in paragraph 1.

All pursuant to Title 21, United States Code Section 853.

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney