FILED IN OPEN COURT
ON 3/7/2023 CBP
Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:23-CR-68-1M-BM
NO. 5:23-CR-68-2M-BM

UNITED STATES OF AMERICA	)	
	)	
v.	)	
	)	**INDICTMENT**
KENNETH POMEROY	)	
RODNEY ALLIGOOD	)	
	)	

The Grand Jury charges that:

COUNT ONE

On or about May 30, 2022, in the Eastern District of North Carolina, the defendant, KENNETH POMEROY, did knowingly and intentionally possess with the intent to distribute a quantity of a mixture or substance containing a detectable amount of N-phenyl-N[1-(2-phenylethyl)-4-piperidinyl] propenamide (fentanyl), and a quantity of a mixture or substance containing a detectable amount of methamphetamine, Schedule II controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWO

On or about May 30, 2022, in the Eastern District of North Carolina, the defendant, KENNETH POMEROY, did knowingly possess a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United

States, as charged in Count One of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT THREE

On or about May 30, 2022, in the Eastern District of North Carolina, the defendant, KENNETH POMEROY, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one (1) year, knowingly possessed a firearm, and the firearm was in and affecting commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924.

COUNT FOUR

On or about May 30, 2022, in the Eastern District of North Carolina, the defendant, KENNETH POMEROY, knowingly possessed a stolen firearm, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the firearm was stolen, in violation of Title 18, United States Code, Sections 922(j) and 924(a)(2).

COUNT FIVE

On or about May 30, 2022, in the Eastern District of North Carolina, the defendant, RODNEY ALLIGOOD, knowingly possessed a stolen firearm, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the firearm was stolen, in violation of Title 18, United States Code, Sections 922(j) and 924(a)(2).

~~been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the firearm was stolen, in violation of Title 18, United States Code, Sections 922(j) and 924(a)(2).~~ RA/AL

COUNT SIX

Beginning on or about May 28, 2022, and continuing up to on or about May 30, 2022, in the Eastern District of North Carolina, the defendant, RODNEY ALLIGOOD, not being a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of dealing in firearms, in violation of Title 18, United States Code, Sections 922(a)(1)(A), 923(a), and 924(a)(1)(D).

(Remainder of Page Left Intentionally Blank)

FORFEITURE NOTICE

Notice is hereby given that all right, title and interest in the property described herein is subject to forfeiture.

Upon conviction of any felony violation of the Controlled Substances Act charged herein, the defendant shall forfeit to the United States, pursuant to 21 U.S.C. § 853(a), any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the said offense, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said offense.

Upon conviction of any violation of the Gun Control Act, the National Firearms Act, or any other offense charged herein that involved or was perpetrated in whole or in part by the use of firearms or ammunition, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and/or 26 U.S.C. § 5872, as made applicable by 28 U.S.C. § 2461(c), any and all firearms and ammunition that were involved in or used in a knowing or willful commission of the offense, or that were intended to be used in any offense identified in 18 U.S.C. § 924(d)(3), or, pursuant to 18 U.S.C. § 3665, that were found in the possession or under the immediate control of the defendant at the time of arrest.

The forfeitable property includes, but is not limited to, the following:

Personal Property:

a) One Glock 22 .40 caliber pistol, bearing serial number BTSD324, seized on May 30, 2022, from KENNETH POMEROY at 1580 Strawbush Court,

Spring Hope, North Carolina, and any and all associated ammunition.

b) One Taurus .357 caliber revolver, bearing serial number QC509510, seized on May 30, 2022, from KENNETH POMEROY at 1580 Strawbush Court, Spring Hope, North Carolina, and any and all associated ammunition.

c) One Ruger .22 caliber revolver, bearing serial number 20-61584, seized on May 30, 2022, from KENNETH POMEROY at 1580 Strawbush Court, Spring Hope, North Carolina, and any and all associated ammunition.

(Remainder of Page Left Intentionally Blank)

If any of the above-described forfeitable property, as a result of any act or omission of a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty; 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 said defendant up to the value of the forfeitable property described above.

A TRUE BILL

REDACTED VERSION
Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

FOREPERSON

7 Mar 2023

DATE

MICHAEL F. EASLEY, JR.
United States Attorney

BY: PHILIP L. AUBART
Assistant United States Attorney