

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

NO. 5:22-CR-341-D-RJ

UNITED STATES OF AMERICA,)
)
 v.)
)
 TYLER MACK KIRBY)
)

INDICTMENT

The Grand Jury charges that:

On or about August 25, 2022, in the Eastern District of North Carolina, the defendant, TYLER MACK KIRBY, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one (1) year, did knowingly possess in and affecting commerce, ammunition, in violation of Title 18, United States Code, Sections 922(g)(1) and 924.

[Remainder of page intentionally left 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 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.

Upon conviction of the offense set forth in the Indictment, the defendant shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d), as made applicable by Title 28, United States Code, Section 2461(c), any and all firearms or ammunition involved in or used in a knowing commission of the said offense.

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

Personal Property

All Winchester 9mm Luger ammunition and all gun pieces

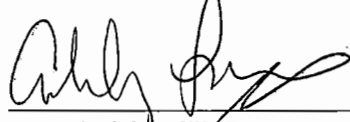
If any of the above-described forfeitable property, as a result of any act or omission of a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond

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~~ ¹ **REDACTED VERSION**
Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

~~FOR PERSON~~
12/20/2022
DATE

MICHAEL F. EASLEY, JR.
United States Attorney



BY: Ashley H. Foxx
Assistant United States Attorney