

IN THE DISTRICT COURT OF THE UNITED STATES

For the Western District of New York

APRIL 2009 GRAND JURY
(Empaneled 4/2/2009)

THE UNITED STATES OF AMERICA

-vs-

**SUPERSEDING
INDICTMENT**

SEAN McMORROW

Violations:

21 U.S.C. § 846
21 U.S.C. § 963

COUNT 1

The Grand Jury Charges:

From in or about 2003, through and including in or about April 2005, the exact dates being unknown to the Grand Jury, in the Western District of New York, and elsewhere, the defendant, SEAN MCMORROW, did knowingly, willfully and unlawfully combine, conspire and agree with others, known and unknown to the Grand Jury, to commit offenses against the United States, that is, to possess with intent to distribute, and to distribute, 100 kilograms or more of a mixture and 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)(B). All in violation of Title 21, United States Code, Section 846.

COUNT 2

The Grand Jury Further Charges:

From in or about 2003, through and including in or about April 2005, the exact dates being unknown to the Grand Jury, in the Western District of New York, and elsewhere, the defendant, SEAN MCMORROW, did knowingly, willfully and unlawfully combine, conspire and agree with others, known and unknown to the Grand Jury, to commit an offense against the United States, that is, to import into the customs territory of the United States, from a place outside thereof, that is, Canada, 100 kilograms or more of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 952(a), 960(a)(1), and 960(b)(2)(G). All in violation of Title 21, United States Code, Section 963.

DATED: Rochester, New York, March 2, 2010.

KATHLEEN M. MEHLTRETTER
United States Attorney

BY: s/Brett A. Harvey
BRETT A. HARVEY
Assistant U.S. Attorney
United States Attorney's Office
Western District of New York
100 State Street, Suite 620
Rochester, New York 14614
(585) 263-6760, ext. 2249
brett.harvey@usdoj.gov

A TRUE BILL:

s/Foreperson
FOREPERSON