

REDACTED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA

v.

DAVID HARMON,

Defendant.

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Criminal Action No. 26-

138-UNA

INDICTMENT

SEP 10 2026

The Grand Jury for the District of Delaware charges that:

Count One

(Possession with the Intent to Distribute Cocaine Base)

On or about May 27, 2026, in the District of Delaware, **DAVID HARMON**, defendant herein, did knowingly and intentionally possess with intent to distribute 28 grams or more of a mixture and substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, which contained cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B).

Before **DAVID HARMON** committed the offense charged in this count, he had a final conviction for a serious drug felony, namely, a 2017 conviction under 16 Del. C. § 4753(2) for which he served more than 12 months of imprisonment and for which he was released from his term of imprisonment within 15 years of the commencement of the instant offense.

Count Two

(Possession of a Firearm and Ammunition by a Prohibited Person)

On or about May 27, 2026, in the District of Delaware, the defendant, **DAVID HARMON**, knowing that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate and foreign commerce, a firearm, that is, a Smith & Wesson Equalizer 9 mm handgun bearing serial number PJA8996 and ammunition, that is, eleven rounds of 9 mm ammunition contained within the firearm and magazine and fifty additional rounds of Magtech 9 mm ammunition, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8).

Count Three

(Possession of a Firearm in Furtherance of Drug Trafficking)

On or about May 27, 2026, in the District of Delaware, **DAVID HARMON**, defendant herein, did knowingly possess a firearm, that is, a Smith & Wesson Equalizer 9 mm handgun bearing serial number PJA8996, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, Possession with the Intent to Distribute Controlled Substances, 21 U.S.C. §§ 841(a)(1), (b)(1)(B), as alleged in Count One of this Indictment, all in violation of 18 U.S.C. § 924(c)(1)(A)(i).

Notice of Forfeiture – Count One

Upon conviction for the offense alleged in Count One of this Indictment, the defendant, **DAVID HARMON**, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any property constituting or derived from proceeds obtained, directly or

indirectly, as a result of said offense, and any property used, or intended to be used, in any manner or part to commit, or to facilitate the commission of, said offense. The property to be forfeited includes, but is not limited to, a Smith & Wesson Equalizer 9 mm handgun bearing serial number PJA8996, eleven rounds of 9 mm ammunition contained within the firearm and magazine, and fifty rounds of Magtech 9 mm ammunition.

If any of the property, 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 pursuant to 21 U.S.C. § 853(p).

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Notice of Forfeiture – Count Two and Three

Upon conviction of the offense alleged in Count Two and Three of this Indictment, the defendant shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any and all firearms and ammunition involved in the commission of the offense, including, but not limited to: a Smith & Wesson Equalizer 9 mm handgun bearing serial number PJA8996, eleven rounds of 9 mm ammunition contained within the firearm and magazine, and fifty rounds of additional Magtech 9 mm ammunition.

A TRUE BILL:

Foreperson

Benjamin L. Wallace
United States Attorney

By: M. David Tambussi, Jr.
Kevin B. Smith
M. David Tambussi
Assistant United States Attorneys

Dated: