

FILED

JUL 09 2019

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA

U.S. DISTRICT COURT-WVND  
CLARKSBURG, WV 26301

UNITED STATES OF AMERICA,

v.

ONEIL WAYNE SOUTH,

Defendant.

Criminal No.

1:19 cr 43 TSK

Violations:

18 U.S.C. § 7(3)  
18 U.S.C. § 13(a)  
18 U.S.C. § 922(g)(3)  
18 U.S.C. § 924(a)(2)  
W.Va. Code § 61-5-17(f)

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Unlawful Possession of a Firearm as Drug User)

On or about March 8, 2019, in Marion County, in the Northern District of West Virginia, defendant **ONEIL WAYNE SOUTH**, possessed a firearm, that is, a Taurus Millennium G, model PT 111, 9mm caliber pistol, serial number TJZ86948, as an unlawful user of and addicted to a controlled substance, that is cocaine base and marijuana, and did so knowingly, said firearm having been shipped and transported in interstate commerce; in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

**COUNT TWO**

(Reckless Flight from a Law Enforcement Officer)

On or about March 12, 2019, in Harrison County, in the Northern District of West Virginia, defendant **ONEIL WAYNE SOUTH**, at a place within the special maritime and territorial jurisdiction of the United States and on land acquired for the use of the United States and under its jurisdiction, that is, the Federal Bureau of Investigation Criminal Justice Information Services Division property, intentionally fled and attempted to flee in a vehicle from a law-enforcement officer acting in his official capacity after the officer had given a clear visual and audible signal directing **ONEIL WAYNE SOUTH** to stop, and operated the vehicle in a manner showing a reckless indifference to the safety of others; in violation of Title 18, United States Code, Sections 13(a) and 7(3), and West Virginia Code, Chapter 61, Article 5, Section 17(f).

**FORFEITURE ALLEGATION**

*Gun Control Act*

Pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d)(1), the government will seek the forfeiture of any firearm and any ammunition involved in or used in any knowing violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2), including a Taurus Millennium G, model PT 111, 9mm caliber, serial number TJJZ86948 and ammunition.

A true bill,

/s/  
Foreperson

/s/  
WILLIAM J. POWELL  
United States Attorney

Andrew R. Cogar  
Assistant U.S. Attorney