



**COPY**

United States District Court  
Southern District of Texas  
**FILED**

**NOV 04 2014**

**David J. Bradley, Clerk of Court**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

**UNITED STATES OF AMERICA**

§

**vs**

§

**CRIMINAL NO. B-14-876**

**KEVIN LYNDEL MASSEY and  
JOHN FREDERICK FOERSTER**

§

**INDICTMENT**

**THE GRAND JURY CHARGES:**

**COUNT ONE**

On or about August 29, 2014, in the Southern District of Texas, the defendant,

**KEVIN LYNDEL MASSEY,**

having been convicted on March 1, 1988 of a crime punishable by imprisonment for a term exceeding one year, burglary of a habitation in Cause number F88-77912-JR in the 265th Judicial District Court of Dallas County, Texas, did knowingly possess in and affecting interstate commerce a firearm, that is one Springfield model XDS, .45 caliber pistol, bearing serial number XS664509, said firearm having been shipped in interstate commerce.

In violation of Title 18, United States Code Sections 922(g)(1) and 924(a)(2).

**COUNT TWO**

On or about August 29, 2014, in the Southern District of Texas, the defendant,

**KEVIN LYNDEL MASSEY,**

having been convicted on March 1, 1988 of a crime punishable by imprisonment for a term exceeding one year, burglary of a habitation in Cause number F88-77912-JR in the 265th Judicial District Court of Dallas County, Texas, did knowingly possess in and

affecting interstate commerce a firearm, that is one Centurion model 39 Sporter, 7.62 x 39 mm rifle, bearing serial number 39NC02585, said firearm having been shipped in interstate commerce.

In violation of Title 18, United States Code Sections 922(g)(1) and 924(a)(2).

**COUNT THREE**

On or about October 20, 2014, in the Southern District of Texas, the defendant,

**KEVIN LYNDEL MASSEY,**

having been convicted on March 1, 1988 of a crime punishable by imprisonment for a term exceeding one year, burglary of a habitation in Cause number F88-77912-JR in the 265th Judicial District Court of Dallas County, Texas, did knowingly possess in and affecting interstate commerce a firearm, that is one HS Produkt model XDS, .45 caliber pistol, bearing serial number XS613495, said firearm having been shipped in interstate commerce.

In violation of Title 18, United States Code Sections 922(g)(1) and 924(a)(2).

**COUNT FOUR**

On or about October 20, 2014, in the Southern District of Texas, the defendant,

**KEVIN LYNDEL MASSEY,**

having been convicted on March 1, 1988 of a crime punishable by imprisonment for a term exceeding one year, burglary of a habitation in Cause number F88-77912-JR in the 265th Judicial District Court of Dallas County, Texas, did knowingly possess in and affecting interstate commerce a firearm, that is one HS Produkt model Tactical XD, .45 caliber pistol, bearing serial number US777533, said firearm having been shipped in interstate commerce.

In violation of Title 18, United States Code Sections 922(g)(1) and 924(a)(2).

**COUNT FIVE**

On or about August 29, 2014, in the Southern District of Texas, the defendant,

**JOHN FREDERICK FOERSTER,**


having been convicted on May 29, 2001 of a crime punishable by imprisonment for a term exceeding one year, burglary of a building in Cause number 01-CR-365-B in the 138th Judicial District Court of Cameron County, Texas, did knowingly possess in and affecting interstate commerce a firearm, that is one Zastava model PAP M92PV, 7.62 X 39 mm. pistol, bearing serial number MP2PV005143, said firearm having been shipped in interstate commerce.

In violation of Title 18, United States Code Sections 922(g)(1) and 924(a)(2).

A TRUE BILL:

\_\_\_\_\_  
FOREPERSON OF THE GRAND JURY

KENNETH MAGIDSON  
UNITED STATES ATTORNEY

  
\_\_\_\_\_  
WILLIAM HAGEN  
Assistant United States Attorney