

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

DARYL RUTHERFORD,

Defendant.

SEALED INDICTMENT

26 Cr.

26 CRIM 160

COUNT ONE
(Firearms Trafficking)

The Grand Jury charges:

1. Between at least in or about December 2025 through at least in or about February 2026, in the Southern District of New York and elsewhere, DARYL RUTHERFORD, the defendant, shipped, transported, transferred, caused to be transported, and otherwise disposed of a firearm to another person in and otherwise affecting interstate commerce, knowing and having reasonable cause to believe that the use, carrying, and possession of a firearm by the recipient would constitute a felony as defined in Title 18, United States Code, Section 932(a), to wit, RUTHERFORD transported numerous firearms from South Carolina to New York and sold those firearms to a purchaser in northern Manhattan and elsewhere, whom RUTHERFORD understood to be both a prohibited person and an unlawful reseller of firearms.

(Title 18, United States Code, Section 933(a)(1).)

COUNT TWO
(Unlicensed Firearms Dealing)

The Grand Jury further charges:

2. Between at least in or about December 2025 through at least in or about February 2026, in the Southern District of New York and elsewhere, DARYL RUTHERFORD, the

defendant, not being a licensed importer, licensed manufacturer, or licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, willfully and knowingly engaged in the business of importing, manufacturing, and dealing in firearms, and in the course of such business shipped, transported, and received a firearm in interstate and foreign commerce, to wit, RUTHERFORD transported firearms and ammunition from South Carolina into New York and sold those firearms to a purchaser in northern Manhattan and elsewhere.

(Title 18, United States Code, Section 922(a)(1)(A).)

COUNT THREE
(Interstate Transportation and Distribution of Firearms)

The Grand Jury further charges:

3. Between at least in or about December 2025 through at least in or about February 2026, in the Southern District of New York and elsewhere, DARYL RUTHERFORD, the defendant, not being a licensed importer, licensed manufacturer, licensed dealer, or licensed collector of firearms within the meaning of Chapter 44, Title 18, United States Code, willfully and knowingly transferred, sold, traded, gave, transported, and delivered a firearm to another individual, said person not being a licensed importer, licensed manufacturer, licensed dealer, or licensed collector of firearms within the meaning of Chapter 44, Title 18, United States Code, and knowing and with reasonable cause to believe that said person did not reside in the State in which the defendant resided, to wit, RUTHERFORD, a resident of South Carolina, traveled from South Carolina to New York and sold firearms and ammunition to an individual whom he believed resided in New York.

(Title 18, United States Code, Section 922(a)(5).)

COUNT FOUR

(Possession of a Firearm and Ammunition After a Felony Conviction)

The Grand Jury further charges:

4. At least on or about December 12, 2025, December 18, 2025, February 17, 2026, and February 24, 2026, in the Southern District of New York and elsewhere, DARYL RUTHERFORD, the defendant, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed firearms and ammunition, to wit, a loaded Century International Arms firearm with serial number 22CB10185, an unloaded Sig Sauer P365 firearm with serial number 66A850244, a loaded Beretta firearm with serial number PZ67340, a loaded Ruger firearm with serial number 86316551, an unloaded 12-gauge shotgun with no visible serial number, a loaded SCCY firearm with serial number C308461, a loaded Taurus firearm with serial number TJT91291, a loaded Sig Sauer firearm with serial number 24D024625, a loaded 22-caliber Remington 597 rifle with serial number 2640811, an unloaded JC Higgins 22-caliber rifle with serial number 2024577, an unloaded CZ Vzor 7.65-millimeter firearm with serial number 664500, a loaded 40-caliber Taurus firearm, Model G2, with serial number ABD527146, a loaded a 380-caliber Ruger pistol with serial number 379178575, and an unloaded 22-caliber Glenfield rifle with serial number 25612115, and the firearms and ammunition were in and affecting commerce.

(Title 18, United States Code, Section 922(g)(1).)

FORFEITURE ALLEGATIONS

5. As a result of committing the offense alleged in Count One of this Indictment, DARYL RUTHERFORD, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 934, any property constituting, or derived from, any proceeds RUTHERFORD obtained, directly or indirectly, as the result of said offense; and any of

RUTHERFORD's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense.

6. As a result of committing the offenses alleged in Counts One, Two, Three, and Four of this Indictment, DARYL RUTHERFORD, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any and all firearms and ammunition involved in or used in the said offenses, including but not limited to:

- a. a loaded Century International Arms firearm with serial number 22CB10185;
- b. an unloaded Sig Sauer P365 firearm with serial number 66A850244;
- c. a loaded Beretta firearm with serial number PZ67340;
- d. a loaded Ruger firearm with serial number 86316551;
- e. an unloaded 12-gauge shotgun with no visible serial number;
- f. a loaded SCCY firearm with serial number C308461;
- g. a loaded Taurus firearm with serial number TJT91291;
- h. a loaded Sig Sauer firearm with serial number 24D024625;
- i. a loaded 22-caliber Remington 597 rifle with serial number 2640811;
- j. an unloaded JC Higgins 22-caliber rifle with serial number 2024577;
- k. an unloaded CZ Vzor 7.65-millimeter firearm with serial number 664500;
- l. a loaded 40-caliber Taurus firearm, Model G2, with serial number ABD527146;
- m. a loaded a 380-caliber Ruger pistol with serial number 379178575; and
- n. an unloaded 22-caliber Glenfield rifle with serial number 25612115.

Substitute Assets Provision

7. If any of the above-described forfeitable 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 person;
- 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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 924 and 934;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON


JAY CLAYTON
United States Attorney