

# U.S. Attorney's Office Southern District of Illinois

A. Courtney Cox, U.S. Attorney  
December 2008



## A Message from the U.S. Attorney

### NATURALIZATION

One of the more pleasant duties I am asked to perform is to assist with naturalization ceremonies in the District. These ceremonies, which are actually Court proceedings, occur several times during the year, both in Benton and East St. Louis. Due to the size of the crowds at these events, they are often held outside the Courthouse at various locations.

These ceremonies always inspire me to a greater appreciation and love for our country. I am always reminded that there is a long line to get into this country, while the line to get out is virtually non-existent. While most of us became citizens by simply being born here, many people work very hard for a long time to become citizens of our great nation. They often have to overcome tremendous obstacles to achieve the freedom our country offers, and they really appreciate what we often take

for granted. They know better than many of us that freedom is never free.

I am always pleased to see students in attendance at these events. Too often civics is overlooked in our education system. Both parents and educators need to pay special attention to instilling in our young people a sense of the responsibility that comes with freedom. When addressing the new citizens at these ceremonies, I try to remind them that while they now possess all the rights and privileges that go with American citizenship, they also now have the serious responsibilities of participating in the government, of being fully informed of the issues, of voicing their opinions, and above all, voting. These are all important ideas for all citizens, whether natural or naturalized, to remember.

*A. Courtney Cox*



From a recent naturalization ceremony, pictured left to right are U.S. Attorney Cox, ISBA President Jack Carey, Asst. States Attorney Emma Curtis, Magistrate Judge Clifford J. Proud, and U.S. Marshal Donald Slazinik.



Pictured left to right are ISBA President Jack Carey, a new U.S. citizen, and Magistrate Judge Clifford J. Proud.

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Link to our website:

<http://www.usdoj.gov/usao/ils/index.html>

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## LECC Activities

The LECC is doing three presentations on Law Enforcement Officers Flying Armed new policies and procedures on the following dates: December 16, 2008, in Mt. Vernon, Illinois; January 7, 2009, at John A. Logan College; and on January 14, 2009, at the Madison County Sheriff's Department.

On January 20 and 21, 2009, the LECC is making a presentation on Networking Conferences and Learning Modalities at the National Law Center Annual Conference in Orlando, Florida.



Presentation by Law Enforcement Coordinator Ron Shownes at Beck Area Career Center Law Enforcement Program in Monroe County on the District's initiatives in southern Illinois on December 3, 2008.

U. S. Attorney Cox congratulating Carbondale Police Chief Robert Ledbetter on his retirement effect this month. Chief Ledbetter has been a member of the Law Enforcement Coordinating Committee since 2002 and a charter member of the Anti-Terrorism Advisory Council.



LECC Activities, continued

The Southern Illinois Criminal Justice Summit will be held in Mount Vernon, Illinois, at the Holiday Inn on February 25 and 26, 2009. A save-the-date flyer is below. Registration information will be sent out before the end of December.

# SAVE THE DATE

### Omaha Mall Massacre

On December 6, 2007, a man opened fire in a busy Omaha, Neb., department store killing eight people and wounding five others before killing himself in an attack that sent holiday shoppers screaming through a mall as others barricaded themselves in dressing rooms.

Presented by: Omaha Police Department

### Excited Delirium

*(Understanding and Preparing for EO Intervention)*

Police arrive at a disturbance call and encounter a partially clothed or naked subject, soaked in sweat. He is often depicted breaking glass, and/or banging on doors and windows. The subject is described as impervious to painful stimulus, including pepper spray and exhibits extraordinary strength, particularly during the ensuing struggle with responding officers.

Presented by: Chris Lawrence, Team Leader of the Defensive Tactics Training Section at the Ontario Police College



### *Managing & Winning Extreme Encounters* William J. Lewinski, Ph.D.

Dr. Lewinski is conducting the leading research in the biomechanics of lethal force encounters. He is the founder and director of the *Force Science Research Center* at Minnesota State University, and has presented to audiences world wide. The Force Science Research Center uses



# February 25-26 2009



The SICJS 2009  
qualifies for  
15 hours of  
State Mandated Training.



State's Attorney  
One-day Training  
with Kevin Burke  
will be held on  
Wednesday, February 25, 2009.  
(Lunch Included)



### EXTREME ENCOUNTERS Cont.

sophisticated time-and-motion measurements to document critical information about the physical and mental dynamics of officer-involved shootings. Dr. Lewinski has also served as a hostage negotiator and has advised the United States government on counterterrorism.



## When Disaster Strikes

## *Managing & Winning* **Extreme Encounters**



## Holiday Inn Mt. Vernon, Illinois

For more information call 618-346-3616.

## RECENT NOTEWORTHY CASES

### METHAMPHETAMINE

[TIMOTHY A. ARVIEW](#), age 38, formerly of West Frankfort, Illinois, and now of Martindale, Texas, was sentenced in the United States District Court in East St. Louis, Illinois, on Friday, November 7, 2008, to 235 months' imprisonment for his role in a conspiracy to manufacture and distribute methamphetamine in and around Franklin County, Illinois, between December 2003 and January 2005. **ARVIEW** was charged with that offense by a federal grand jury on March 19, 2008, and pled guilty to the charge on July 11, 2008.

Evidence presented at **ARVIEW's** guilty plea and sentencing showed that **ARVIEW** worked with others in and around Franklin County to obtain the necessary precursors for manufacturing methamphetamine. Those involved in the conspiracy would then use and sell the methamphetamine that they manufactured. **ARVIEW** was arrested on January 7, 2005, at the West City, Illinois, Wal-Mart while he was attempting to steal pseudoephedrine pills for use in manufacturing methamphetamine. A search of his vehicle located in the parking lot revealed the presence of an active meth lab.

In addition to the term of imprisonment, **ARVIEW** was ordered to pay the United States fines and special assessments totaling \$850 and was placed on a term of supervised release of five years to follow his incarceration. Under federal law, parole has been abolished meaning that **ARVIEW** will be required to serve at least 85 percent of his sentence.

Investigation into the case was a joint effort of the Southern Illinois Drug Task Force, the Southern Illinois Enforcement Group, the C.O.M.I.T. drug task force, the West Frankfort Police Department, and the Illinois State Police.

The case was prosecuted by Assistant United States Attorney James M. Cutchin.

On December 2, [TERRY L. BAUGHER](#), age 36, of McClure, Illinois, was sentenced in the United States District Court in Benton, Illinois. **BAUGHER**, who had previously pled guilty to a one-count indictment charging him with conspiracy to manufacture methamphetamine, was sentenced to 100 months' imprisonment, four years' supervised release, and fined \$200.

The violation took place between January 2006 and April 5, 2008, in Union, Jackson, and Marion Counties in Illinois. Three co-defendants have pled guilty and are awaiting sentencing.

The investigation was conducted by the Union County Sheriff's Office, Jackson County Sheriff's Office, and Drug Enforcement Administration pursuant to their participation in the Project Safe Neighborhoods Initiative for the Southern District of Illinois. The Illinois State Police Methamphetamine Response Team also assisted in the investigation.

The case was prosecuted by Assistant United States Attorney Amanda A. Robertson.

On December 10, 2008, [CHRISTOPHER R. SIDES](#), age 32, of Murphysboro, Illinois, was sentenced in the United States District Court in East St. Louis, Illinois. **SIDES**, who had previously pled guilty to a one-count indictment charging him with conspiracy to manufacture methamphetamine, was sentenced to 249 months' imprisonment, ten years' supervised release, and fined \$600.

Evidence supporting the guilty plea and

## Recent Noteworthy Cases, continued

sentencing established that between at least February 2005 and June 2007, **SIDES** and others were manufacturing methamphetamine in Jackson, Williamson, and Franklin Counties. One co-defendant has been sentenced to 247 months' imprisonment for his involvement in the methamphetamine conspiracy.

The investigation was conducted by the Jackson County Sheriff's Office, Union County Sheriff's Office, Murphysboro Police Department, and Drug Enforcement Administration pursuant to their participation in the Project Safe Neighborhoods initiative in the Southern District of Illinois.

The case was prosecuted by Assistant United States Attorney Amanda A. Robertson.

On December 12, 2008, **JEFFERY L. McCOMB**, age 41, and **NICHOLAS A. WALKER**, age 28, both of Murphysboro, Illinois, were sentenced in the United States District Court in East St. Louis, Illinois. Both **McCOMB** and **WALKER** had previously pled guilty to a one-count indictment charging them with conspiracy to manufacture methamphetamine. **McCOMB** was sentenced to 188 months' imprisonment, five years' supervised release, and fined \$750. **WALKER** was sentenced to 168 months' imprisonment, five years' supervised release, and fined \$400.

The investigation established that from at least October 2005 through May 14, 2007, **McCOMB**, **WALKER**, and others were manufacturing methamphetamine in Jackson, Williamson, and Perry Counties. Eight co-defendants have previously been sentenced to imprisonment for their roles in the methamphetamine conspiracy. One co-defendant has pled not guilty and is awaiting a February 9, 2008, jury trial.

The investigation was conducted by the Jackson County Sheriff's Office, Murphysboro Police Department, United States Marshals Service, and Drug Enforcement Administration pursuant to their participation in the Jackson County Project Safe Neighborhoods Initiative. The Perry County Sheriff's Office also participated in the investigation.

The case is assigned to Assistant United States Attorney Amanda A. Robertson for prosecution.

### FRAUD/IDENTITY THEFT

On November 4, 2008, **JEFFERY LAUMBATTUS**, age 47, of Marissa, Illinois, was indicted by a federal grand jury sitting in East St. Louis, Illinois. **LAUMBATTUS's** first appearance occurred on November 10, 2008, and his jury trial is scheduled for January 5, 2009.

**LAUMBATTUS** has been indicted for one count of securities fraud, in violation of Title 15, United States Code, Section 77q and x; six counts of mail fraud, in violation of Title 18, United States Code, Section 1341; one count of wire fraud, in violation of Title 18, United States Code, Section 1343; and one count of aggravated identity theft, in violation of Title 18, United States Code, Section 1028A.

Count 1, securities fraud, carries a sentence of not more than five years in prison, a \$250,000 fine, or both, and not more than three years of supervised release. Counts 2 through 8, mail and wire fraud, each carries a sentence of up to 20 years in prison, a \$250,000 fine, or both, and not more than three years of supervised release. Count 9 carries a sentence of two years consecutive to any other term of imprisonment,

## Recent Noteworthy Cases, continued

a \$250,000 fine, or both, and one year of supervised release.

Information for the indictment was obtained in an investigation conducted by the United States Postal Inspection Service. The Securities and Exchange Commission is conducting an investigation as well.

The case is being handled by Assistant United States Attorney Jennifer Hudson.

### CHILD PORNOGRAPHY

On November 7, 2008, [ROBERT EUGENE HOKE](#), age 64, of Robinson, Illinois, was sentenced in the United States District Court in Benton, Illinois. **HOKE** was sentenced to 121 months' imprisonment, fined \$400, and placed on five years' supervised release.

**HOKE** had previously pled guilty to two counts involving child pornography. **HOKE** pled guilty to Count 1 of the indictment which charged that from October 8, 2005, to November 15, 2005, **HOKE** received images of child pornography that had been sent in interstate commerce over the internet. **HOKE** also pled guilty to Count 2 of the indictment which charged that from October 28, 2005, to November 29, 2005, **HOKE** possessed a video clip of child pornography that had been sent in interstate commerce on the internet.

The investigation in this case was conducted by the Federal Bureau of Investigation Cyber Crimes Task Force, the Crawford County Sheriff's Office, the Robinson Police Department, and the Marion Police Department.

The United States Attorney's Office, in conjunction with federal and state law enforcement authorities, is actively investigating and

prosecuting individuals who produce, distribute, or possess child pornography. Anyone with information concerning the use of the Internet for the purposes of possessing, producing, or trafficking in child pornography is encouraged to contact the local police department or the Federal Bureau of Investigation.

The case was prosecuted by Assistant United States Attorney George A. Norwood.

### BANK ROBBERY

On November 13, 2008, [JACOB MESSIC](#), age 23, of Evansville, Indiana, was sentenced in the United States District Court in Benton, Illinois. **JACOB MESSIC**, who had previously pled guilty to two counts of armed bank robbery and two counts of brandishing a firearm during a crime of violence, was sentenced to 462 months' imprisonment and five years' supervised release. **JACOB MESSIC** was also ordered to pay \$49,298 in restitution and a \$400 assessment.

The factual basis submitted at the time of **JACOB MESSIC's** guilty plea established that on July 20, 2006, **JACOB MESSIC**, his father **RODNEY MESSIC**, and **JOHN BROWN** robbed the First Neighbor Bank in Casey, Illinois. On August 23, 2006, **JACOB MESSIC**, **RODNEY MESSIC**, and **JOHN BROWN** robbed the Elkhaville State Bank in Elkhaville, Illinois. The **MESSICs** were armed during the robberies, and during the Elkhaville robbery **JACOB MESSIC** struck a bank employee with a firearm. **RODNEY MESSIC** has been sentenced to 499 months' imprisonment for his role in the armed bank robberies. **JOHN BROWN** has pled guilty and is awaiting sentencing.

The investigation was conducted by the Jackson County Sheriff's Office, Murphysboro Police Department, Federal Bureau of Investiga-

## Recent Noteworthy Cases, continued

tion, Casey Police Department, Clark County Sheriff's Office, Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the United States Marshals Service pursuant to their participation in the Project Safe Neighborhoods Initiative. The Owensboro, Kentucky, Police Department and McCracken County Sheriff's Department also participated in the investigation.

The case is being prosecuted by Assistant United States Attorney Amanda A. Robertson.

On November 18, 2008, [ALBERT BYRON JONES](#), age 33, of Newburgh, Indiana, was charged in an indictment by a federal grand jury sitting in East St. Louis, Illinois, with one count of bank robbery in relation to the robbery of approximately \$3,604 from the Bean Capital Banking Center in Wayne City, Illinois, on April 4, 2007.

If convicted, **JONES** faces a sentence of imprisonment of up to 20 years, a \$250,000 fine, and a term of supervised release to follow incarceration of up to five years.

The investigation in this case was conducted by the Federal Bureau of Investigation, the Illinois State Police, the Wayne County Sheriff's Department, and the Wayne City Police Department.

The case is being prosecuted by Assistant United States Attorney James M. Cutchin.

### HEROIN

On November 17, 2008, [KEVIN M. COOPER](#), a/k/a "MD," age 55, of Centralia, Illinois, was sentenced to life imprisonment in the United States District Court in East St. Louis, Illinois.

In August 2008, **COOPER** was convicted by a federal jury on the sole count in a federal indictment of conspiracy to distribute, and possess with intent to distribute, more than 100 grams of heroin. The evidence at trial established that **COOPER** was involved in a conspiracy that was bringing heroin from Chicago, Illinois, down to southern Illinois for distribution in the Centralia, Illinois, area. **COOPER** was responsible for distributing nearly 1,000 grams of heroin between approximately 2005 through January 29, 2008.

The investigation was conducted by the Clinton County Sheriff's Office, the Illinois State Police, the Centralia Police Department, the Marion County Sheriff's Office, and the Drug Enforcement Administration pursuant to their participation in the Project Safe Neighborhoods Initiative. The Marion County State's Attorney's Office also assisted during the investigation.

The case was prosecuted by Assistant United States Attorney George A. Norwood.

### BANKRUPTCY FRAUD

On November 18, 2008, [MARGARET DIEKEMPER](#), age 64, of Carlyle, Illinois, entered a plea of guilty in East St. Louis, Illinois, to one count of conspiracy to commit bankruptcy fraud.

Count 1, conspiracy to commit bankruptcy fraud, carries a sentence of not more than five years in prison, a \$250,000 fine, or both, and not more than three years of supervised release.

A sentencing date is set for February 9, 2009, at 2:30 p.m., in the United States District Court in East St. Louis, Illinois.

Information for the indictment was obtained in an investigation conducted by the Fed-

## Recent Noteworthy Cases, continued

eral Bureau of Investigation and the United States Postal Inspection Service.

The case is being handled by Assistant United States Attorneys Jennifer Hudson and Norman R. Smith.

### **BANKRUPTCY FRAUD/MAIL FRAUD/FALSE STATEMENT/PERJURY**

On November 26, 2008, [JOSEPH DIEKEMPER](#), age 60, of Carlyle, Illinois, entered a plea of guilty to one count of conspiracy to commit bankruptcy fraud, one count of conspiracy to commit mail fraud, one count of false statement to the United States Department of Agriculture Commodity Credit Corporation, and one count of perjury. The offenses occurred in Clinton County, Illinois.

The offenses of conspiracy to commit bankruptcy fraud, false statement to the United States Department of Agriculture Commodity Credit Corporation, and perjury carry a maximum sentence of five years' imprisonment or a fine of \$250,000, or both, and three years of supervised release. The offense of conspiracy to commit mail fraud carries a maximum sentence of 20 years' imprisonment, a \$250,000 fine, and up to five years' supervised release. **JOSEPH DIEKEMPER's** sentencing is currently scheduled for March 9, 2009.

The Federal Bureau of Investigation, the United States Postal Inspection Service, and the United States Department of Agriculture conducted the investigation.

The case is being prosecuted by Assistant United States Attorneys Jennifer Hudson, Norman R. Smith, and Kevin F. Burke.

### **COCAINE**

On November 19, 2008, [ANTHONY S. WOMACK](#), a/k/a **T-MONEY**, age 34, of Alton, Illinois, was convicted after a three-day trial by a jury in East St. Louis, Illinois, of the sole count of the indictment charging him with distribution of over five grams of crack cocaine. The violation took place on December 13, 2007, in Madison County, Illinois. The evidence at trial showed that the defendant delivered approximately 29 grams of crack cocaine to a buyer in exchange for \$1,900 at an apartment in Alton.

**WOMACK** is scheduled to be sentenced on February 27, 2009, at which time he will face potential penalties of not less than ten years' and up to life imprisonment, a fine of up to \$4 million, or both, a term of at least eight years' supervised release, and a \$100 special assessment.

The investigation in this case was conducted by the Alton Police Department, the Federal Bureau of Investigation's Safe Streets Task Force, the Drug Enforcement Administration, and the Alton Police Department.

Assistant United States Attorney Donald S. Boyce prosecuted the case.

[JANIS L. CALVERT](#), age 32, of Olive Branch, Illinois, was sentenced on December 1, 2008, on three counts of an indictment returned in the United States District Court in Benton, Illinois, for conspiracy to distribute cocaine base, and two counts of distribution of cocaine base. The sentencing took place in the United States District Court at East St. Louis, Illinois.

**CALVERT** entered a plea of guilty on August 21, 2008, and had been in custody awaiting sentencing. She was sentenced to 140 months,

## Recent Noteworthy Cases, continued

to be served concurrently, on each count. Following her incarceration, she will also be required to serve a five-year term of supervised release. In addition, she was ordered to pay fines totaling \$300.

According to the factual basis, which was filed with the court at the time of her plea, the defendant was responsible for selling crack cocaine on two separate occasions to a law enforcement informant while at her residence in Olive Branch. A subsequent search of her residence by law enforcement resulted in the recovery of a small amount of crack cocaine. The investigation revealed that she and others were responsible for the distribution of between 1.5 to 4.5 kilograms of cocaine base while living in Alexander County.

Investigation of this case was handled by the Illinois State Police and the Southern Illinois Drug Task Force.

The case was prosecuted by Assistant United States Attorney Michael C. Carr.

On December 3, 2008, [RONFREDRICK BOLING](#), age 28, of Mt. Vernon, Illinois, was convicted on all three counts in a federal indictment following a jury trial in the United States District Court in East St. Louis, Illinois.

Count 1 charged that on October 3, 2007, **BOLING** possessed with the intent to distribute crack cocaine. Count 2 charged that on October 18, 2007, **BOLING** distributed crack cocaine. Count 3 charged that on November 5, 2007, **BOLING** again distributed crack cocaine. All these events occurred in Mt. Vernon.

With respect to each count of the indictment, **BOLING** faces a sentence of up to 30 years'

imprisonment, a fine of up to \$2 million, and a term of supervised release of at least six years.

The investigation in this case was a cooperative effort between the Joint Narcotics Unit of the Mt. Vernon Police Department and the Jefferson County Sheriff's Department, the Drug Enforcement Administration, and the Illinois State Police pursuant to their participation in the Project Safe Neighborhoods Initiative.

The case was prosecuted by Assistant United States Attorney George A. Norwood.

On December 11, 2008, [DONALD RAY FOULKS](#), a/k/a "D-Ray," age 40, of Carbondale, Illinois, was sentenced in the United States District Court in Benton, Illinois. **FOULKS**, who had previously pled guilty to an indictment charging conspiracy to distribute crack cocaine, was sentenced to 240 months' imprisonment, eight years' supervised release, and fined \$300.

The crack cocaine offense occurred between September 2002 and January 2007 in Jackson and Jefferson Counties. At sentencing, the district court found that **FOULKS** was responsible for more than 4.5 kilograms of crack cocaine. Additionally, **FOULKS'** sentence was enhanced based on the presence of a firearm. Two co-defendants have received sentences of 200 months' imprisonment and 120 months' imprisonment for their role in the crack cocaine offense.

The investigation conducted in this case was a cooperative effort between the Jackson County Sheriff's Office, Murphysboro Police Department, Joint Narcotics Unit of the Mt. Vernon Police Department and the Jefferson County Sheriff's Office, and Drug Enforcement Administration pursuant to those agencies' participation

## Recent Noteworthy Cases, continued

in the Project Safe Neighborhoods Initiative.

The case was assigned to Assistant United States Attorney Amanda A. Robertson for prosecution.

### TRAVELING

On November 18, 2008, [CATHARINE L. MILLER](#), age 33, of Mechanicsburg, Pennsylvania, was charged in a criminal complaint in the United States District Court in Benton, Illinois, with one count of traveling in interstate commerce for the purpose of engaging in illicit sexual conduct with a minor.

The complaint alleged that **MILLER** traveled from Ohio to Wayne County, Illinois, on November 14, 2008, to meet a 14-year-old female child with the intent to engage in sex acts with the child. **MILLER** was arrested by the Wayne County Sheriff's Department on November 17, 2008, at Johnsonville Park in Wayne County.

**MILLER** was taken into federal custody on November 17, 2008, and appeared in the United States District Court in Benton, Illinois, on November 18. **MILLER** was ordered held without bond and remanded to the custody of the United States Marshal.

If convicted, **MILLER** faces a sentence of imprisonment of up to 30 years, a \$250,000 fine, and a term of supervised release to follow incarceration of up to five years.

The investigation in this case was conducted by the Federal Bureau of Investigation Southern Illinois Cyber Crimes Task Force, the Wayne County Sheriff's Department, and the Wayne County State's Attorney's Office.

The case is being prosecuted by Assistant

United States Attorney James M. Cutchin.

### FIREARMS

On November 4, 2008, [SINGLETERY V. JOHNSON](#), age 40, of Murphysboro, Illinois, was indicted by a federal grand jury sitting in Benton, Illinois, in a one-count indictment charging him with unlawful possession of a firearm by a felon. The violation is alleged to have taken place on August 27, 2008, in Jackson County.

The offense carries a penalty of up to ten years' imprisonment, a fine of up to \$250,000, and a term of three years' supervised release. **JOHNSON** made his initial appearance on the charge on November 21, 2008, and was ordered held without bond pending trial, which is currently scheduled for January 27, 2009.

The investigation was conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Murphysboro Police Department, and the Jackson County Sheriff's Office pursuant to those agencies' participation in the Project Safe Neighborhoods Initiative.

The case is assigned to Assistant United States Attorney Amanda A. Robertson for prosecution.

On December 16, 2008, [WILLIAM SHERMAN KIRKPATRICK](#), age 35, of Woodhull, Illinois, was indicted by a federal grand jury sitting in East St. Louis, Illinois, in a two-count indictment. Count 1 charges him with possession of a firearm as a convicted felon. Count 2 is for forfeiture of the firearms charged in Count 1. The offense is alleged to have taken place De-

## Recent Noteworthy Cases, continued

September 8, 2008, in Madison County, Illinois.

The maximum penalties that can be imposed are ten years' imprisonment, a \$250,000 fine, and three years' supervised release.

The Indictment charges that **KIRKPATRICK** possessed an E.A.A. brand Witness Model 38 SA caliber semi-automatic pistol, bearing serial no. AE29525, and an Enfield brand, No. 4 MKI model, .303 caliber bolt-action rifle.

The investigation is being conducted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

The case is being prosecuted by Assistant U.S. Attorney Stephen B. Clark.

### **FAILURE TO PAY EMPLOYMENT TAXES/ FALSE STATEMENTS/EMBEZZLEMENT/FRAUD**

On December 5, 2008, [CLAYTON HOBBS](#), age 31, former president of **MERCY REGIONAL HEALTH SYSTEMS, LTD.**, d/b/a Mercy Regional Emergency Health Services, located in Benton, Illinois, was sentenced to 57 months' imprisonment followed by three years of supervised release and ordered to pay restitution in the amount of \$2,283,118.32. On August 21, 2008, **CLAYTON HOBBS** pled guilty to 16 counts of failing to pay federal employment taxes. **CLAYTON HOBBS**, as president and operator of Mercy Regional Health System, Ltd., withheld federal payroll taxes from the employees and failed to pay over \$2 million dollars of federal employment taxes to the Internal Revenue Service.

Also, on December 5, 2008, **MERCY REGIONAL HEALTH SYSTEMS, LTD.**, d/b/a Mercy Regional Emergency Health Services, f/k/a Effingham Advanced Ambulance Service, was sentenced to five years' probation and ordered to

pay restitution in the amount of \$2,283,118.32. On August 21, 2008, **MERCY REGIONAL HEALTH SYSTEMS, LTD.**, pled guilty to one count of false statements relating to health care matters, one count of embezzlement from an employee benefit plan, one count of health care fraud, and two counts of mail fraud.

**MERCY REGIONAL HEALTH SYSTEMS, LTD.**, was operated by **CLAYTON HOBBS** from February 2002 through March 2008. **MERCY REGIONAL HEALTH SYSTEMS LTD.** made false statements to its employees relating to their health care coverage. It also withheld 401(k) contributions from its employees and failed to forward the contributions to the employees' 401(k) plans. **MERCY REGIONAL HEALTH SYSTEMS, LTD.** filed false and fraudulent claims with Medicare and the Illinois Department of Public Health through the Medicaid Program and sent the fraudulent bills to the Illinois Department of Public Health through the use of the United States Postal Service.

The sentencings for both **CLAYTON HOBBS** and **MERCY REGIONAL HEALTH SYSTEMS, LTD.**, require restitution to be paid for the employees' unpaid medical insurance claims in the amount of \$127,668.61, unfunded 401(k) contributions in the amount of \$1,415.00, unpaid prevailing wages to employees in the amount of \$40,557.03, fraudulent billings to Medicare in the amount of \$24,734.26 and Medicaid in the amount of \$69,815.50, fraudulent billings to the U.S. Railroad Retirement Medicare in the amount of \$10,965.66, and unpaid federal payroll taxes to the IRS in the amount of \$2,007,962.26.

The case was investigated by the Internal Revenue Service, Criminal Investigation, U.S. Department of Labor, Office of Inspector General, Office of Labor Racketeering and Fraud Investiga-

## Recent Noteworthy Cases, continued

tions, U.S. Department of Health and Human Services, Office of Inspector General, U.S. Department of Labor, Employee Benefits Security Administration, the Federal Bureau of Investigation, the U.S. Railroad Retirement Board Office of Inspector General, the U.S. Postal Inspection Service, the Franklin County Sheriff's Department, and the Illinois State Police.

The cases were prosecuted by Assistant United States Attorneys Norman R. Smith and William E. Coonan. The civil component of this case is being handled by Assistant United States Attorney Gerald M. Burke.

United States Attorney Cox stated that even though **MERCY REGIONAL HEALTH SYSTEMS, LTD.**, had been sentenced by the United States District Court for the Southern District of Illinois, the ambulance service that is being provided to the Franklin County area will continue. The ambulance service is being operated by the court-appointed receiver, Tom Jordan, and the court specifically included the continuation of the receivership in the sentence of **MERCY REGIONAL HEALTH SYSTEMS, LTD.** United States Attorney Cox was very complimentary of the work of Mr. Jordan who has continued the operations of the ambulance company under very difficult conditions.

The receiver and the United States Attorney's Office are working closely with the Franklin County Board to make sure that quality ambulance service is provided to Franklin County residents as the parties move forward. The board is evaluating different possibilities for ambulance services in the future, but the citizens of Franklin County should be assured that all parties are doing everything possible to make sure that quality ambulance service is available in the area.

### **FALSE STATEMENT/WIRE FRAUD/ATTEMPTING TO CONCEAL AN OBJECT/DISPOSAL OF STOLEN MONEY/MISAPPLICATION OF PROPERTY/FAILURE TO FILE TAX RETURN**

**MICKEY L. DOOLEY**, age 49, of Alton, Illinois, and formerly an Alton Police Department officer, was sentenced to ten years in federal prison on December 8, 2008, as a result of his convictions of: Counts 1 and 2: false statement to the Federal Bureau of Investigation; Count 3: wire fraud Involving the deprivation of right to honest services of the Alton police evidence custodian; Count 4: corruptly attempting to conceal an object, a laptop computer, with intent to impair its availability for use in an official proceeding; Count 5: disposal of money that had been stolen from Olin Credit Union; Count 6: disposal of money that had been stolen from U.S. Bank; Count 7: misapplication of property under the care, custody, and control of a local government that receives federal funds; Count 8: failure to file a 2006 U.S. individual income tax return. **DOOLEY** was convicted by a jury on September 12, 2008, at the conclusion of a federal trial which started on September 3, 2008.

Evidence presented at trial established that **DOOLEY**, as evidence custodian for the Alton Police Department and in furtherance of a scheme to defraud the Alton Police Department and the citizens of the Southern District of Illinois, violated evidence and property management procedures, misappropriated evidence for personal gain, and thereby deprived the community of the right to honest services of the evidence officer of the Alton Police Department to preserve the integrity of evidence being stored in connection with criminal investigations and prosecutions. Evidence was adduced at trial that **DOOLEY** misappropriated funds being held as evidence in the Alton Police Department evi-

## Recent Noteworthy Cases, continued

dence vault, including money from two pending federal bank robbery prosecutions. Evidence was presented at sentencing that **DOOLEY's** actions have adversely affected numerous federal and state prosecutions where **DOOLEY** was or is in the chain of custody of the evidence.

**DOOLEY** was ordered to serve three years' supervised release following his release from prison and pay a fine of \$640, a special assessment of \$725, and restitution totaling \$48,738.58, as follows: \$3,500, payable to the minor son of a deceased person where the evidence established that **DOOLEY** stole funds from the scene of the death; Olin Credit Union, \$4,056; U.S. Bank, \$20,607; Alton Police Department, \$14,086.58; Internal Revenue Service, \$6,489.

The investigation was conducted by the Federal Bureau of Investigation, the Illinois State Police, and the Internal Revenue Service/Criminal Investigations.

The case was prosecuted by Assistant United States Attorneys Steven D. Weinhoeft and Norman R. Smith.

### MISAPPLICATION OF PROPERTY

On December 9, 2008, **DOROTHY RICHARDSON TRIPLETT**, age 38, of Washington Park, Illinois, pled guilty to an indictment charging two counts of misapplication of property of the village of Washington Park, a local government that receives federal funds. Each count carries a maximum statutory penalty of up to ten years in prison, three years' supervised release, a fine of up to \$250,000, and mandatory restitution. Sentencing is currently scheduled for March 20, 2009, in East St. Louis, Illinois.

At the plea hearing, **TRIPLETT**, who is employed as the payroll clerk and assistant to the mayor's assistant for the village of Washington Park, admitted that she embezzled approximately \$143,828.35 from the village of Washington Park during 2006 and 2007.

The investigation was conducted by the Federal Bureau of Investigation, the Internal Revenue Service/Criminal Investigations, and the Department of Labor, Office of Labor Racketeering.

The case is being prosecuted by Assistant United States Attorney Norman R. Smith.

### MURDER FOR HIRE

On December 15, 2008, **EDWARD H. BAREITER, JR.**, age 40, was sentenced in East St. Louis, Illinois, to the maximum statutory term of 120 months in prison, ordered to pay a \$15,000 fine, and placed on supervised release for a period of three years after his release from prison. The court ordered that **BAREITER'S** sentence must be served consecutive to his 20-year sentence in state prison.

**BAREITER** pled guilty on September 4, 2008, to one count of use of a facility in interstate commerce to facilitate murder for hire and one count of conspiracy to commit murder for hire. The offenses occurred during the summer of 2006 while **BAREITER** was in jail in Clinton County, Illinois, awaiting trial on state charges. **BAREITER** and his co-conspirator attempted to arrange the murders of witnesses against **BAREITER** so that they could not testify against him in the state court proceeding. **BAREITER's** co-defendant pled guilty last year and is currently serving a sentence of 58 months' imprisonment.

## Recent Noteworthy Cases, continued

The investigation was conducted by the Federal Bureau of Investigation.

The case was prosecuted by Assistant United States Attorney Donald S. Boyce.

### **MARIJUANA/MONEY LAUNDERING/ESCAPE**

[QUAWNTAY ADAMS](#), age 33, of Lancaster, California, was sentenced on December 12, 2008, in East St. Louis, Illinois, to a term of 420 months in prison, ordered to pay a fine of \$750, and placed on supervised release for a period of eight years after his release from prison. In addition, the court ordered that **ADAMS** forfeit the amount of \$58,475.

**ADAMS** was convicted on July 25, 2008, following a two-week jury trial, of possession with the intent to distribute 100 kilograms or more of marijuana, conspiracy to commit money laundering, and two counts of attempted escape. Immediately prior to the beginning of his trial, **ADAMS** pled guilty to one count of escape. **ADAMS** escaped from the Alton Police Department Jail on May 2, 2006. He twice attempted to escape from the St. Clair County Jail on separate occasions in 2004 while awaiting trial in the United States District Court in East St. Louis, Illinois.

Evidence resulting in the convictions was gathered in an investigation by the United States Postal Inspection Service and United States Immigration and Customs Enforcement.

The case was prosecuted by Assistant United States Attorney J. Christopher Moore.

## KEY DATES IN DECEMBER

### December 1

- Israel: Two suicide bombers detonate explosives in mall, killing ten and wounding 120; HAMAS claims responsibility. (2001)
- India: India arrests Ghulam Nabi Baba, leader of Harakat-ul-Ansar, accused of involvement in kidnapping of six Western tourists. (1997)
- U.S.: Earth Liberation Front claimed responsibility for smashing more than 200 windows in new houses and vandalizing 12 construction vehicles in Long Island, New York. (2000)

### December 2

- Spain: Basque Group Iraultza bombs eight U.S. facilities in Spanish Basque territory to protest U.S. involvement in Central America. (1983)

### December 3

- United Arab Emirate (UAE): Hizballah's Islamic Jihad Organization hijacks plane bound for Pakistan, lands in Tehran; two U.S. officials killed. (1984)

### December 4

- Israel: Awad Selmi, senior HAMAS leader on wanted list, killed during terrorist mission. (2000)

### December 5

- Jordan: Ra'id Hijazi sentenced to death for planning Millennium attacks against U.S. and Israeli targets. (2000)

### December 6

- Sri Lanka: Suspected Liberation Tigers of Tamil Elam landmine attack kills four passengers and wounds 21. (2000)
- Saudi Arabia: Terrorist attacked the U.S. Consulate in the Saudi port city of Jeddah killing five workers. Qaeda Al Jihad in the Arabian Peninsula claimed responsibility.

### December 7

- U.S.: "A date which will live in infamy,"; FDR asks for a Declaration of War. Attack on Pearl Harbor (Hawaii Operation, as it was called by the Japanese Imperial General Headquarters) surprise military strike conducted by the Japanese Navy against the United States' Naval Base at Pearl Harbor. (1941)
- Islamic: Al-Hajj, the Pilgrimage, begins.
- Islamic: Waqf al Arafat

### December 8

- Yemen: Muhammad al-Harazi and Jamal al-Badawi named prime suspects in USS Cole bombing. (2000)
- Islamic: Yawm Arafat
- U.S.: National Martyrs Day; patriot movement. Whidbey Island standoff with Robert J. Matthews (The Order).

### December 9

- United Nations: General Assembly adopts International Convention for the Suppression of Financing Terrorism. (1999)
- Islamic: Eid al-Adha (Festival of Sacrifice).
- U.S.: ELF claimed responsibility for \$200,000 in arson damages at a condominium complex under construction in Long Island, New York. (2000)

### December 10

- U.S.: Human Rights Week
- West Bank: Popular Front of the Liberation of Palestine was founded. (1966)

## KEY DATES IN DECEMBER, continued

December 11

- Islamic: Al-Hajj ends

December 12

- Egypt: Security forces kill 'Abd al-Hafiz, al-Jama'ah al-Islamiyah, leader responsible for Luxor attack. (1997)
- Kuwait: Bombing of U.S. Embassy/Kuwait, Iraqi al-Dawa. (1983)

December 13

- India: Parliament bombed, killing 13; Lashkar-e-Tayybia (LeT) and Jaish-e-Mohammed (JeM) responsible. (2001)
- Iraq: Deposed Iraqi President Saddam Hussein was captured by U.S. soldiers. (2003)
- U.S.: Native American eco-anarchist, animal rights arsonist and founder of Animal Liberation Front (ALF) Rodney Coronado and Earth First activist Matthew Crozier were found guilty for their March 2004 arrest for destroying a USDA Animal Plant and Health Inspection Service mountain lion trap in the Sabino Canyon Recreational Area, located in the Santa Catalina Mountains and Coronado National Forest north of Tucson, Arizona. (2005)

December 14

- West Bank: Founding of the Islamic Resistance Movement (HAMAS) by Shaykh Amhad Yasin. (1987)

December 16

- United Kingdom: Provisional Irish Republican Army (PIRA) bombs Harrods department store in London, killing nine, including one U.S. citizen, and injuring 91 others. (1983)

December 17

- Peru: Tupac Amaru Revolutionary Movement (MRTA) rebels take 700 hostages at the Japanese Ambassador's residence in Lima; all rebels killed in successful rescue. (1996)

December 18

- Sri Lanka: Suicide bomber at election rally kills 23 and wounds 100, including the President; bomb attack at opposition rally kills 11; LTTE blamed in both cases. (1999)

December 19

- Philippines: Libyan-trained Abu Sayyaf Group (ASG) leader Abdurajak Abubaker Janjalani dies in gun fight with authorities on Basilan Island. (1998)
- U.S.: Earth Liberation Front claimed responsibility for the arson of a home under construction in Long Island, New York; reported damages estimated at \$50,000. (2000)

December 20

- Ecuador: Seven Canadians and one U.S. hostage freed by the Revolutionary Armed Forces of Colombia (FARC). (1999)

December 21

- United Kingdom: Pan Am Flight 103 destroyed by bomb over Lockerbie, Scotland; all 259 passengers and 11 on ground killed; Libya responsible. (1988)
- Austria: "Carlos the Jackel" kidnaps 11 Organization of the Petroleum Exporting Countries (OPEC) ministers in Vienna; three die. (1975)

December 22

- West Bank: HAMAS suicide bombing at restaurant near Meholah kills one and wounds three Israeli soldiers. (2000)
- Jewish: First day of Hanukkah (begins previous evening).
- U.S.: Richard Reid attempted to detonate explosives hidden in his tennis shoes while on an American Airlines flight that was en route from Paris to the U.S. (2001)

## KEY DATES IN DECEMBER, continued

December 23

- U.S.: Terry Nichols convicted in U.S. District Court, Denver, Colorado, of conspiring to manufacture the bomb used in the Oklahoma City bombing and involuntary manslaughter in the deaths of eight federal employees. (1997)

December 24

- France: “Carlos the Jackel” sentenced to life for three murders in 1975. (1997)
- U.S.: Ku Klux Klan founded. (1865)

December 25

- India: Suicide car bomb kills 11 and wounds more than 20 near Army zone in Srinagar; Jamiat-ul-Mujahedin (JuM) claims responsibility; blast coincides with bomb attacks in Pakistan that injured 37. (2000)
- U.S.: Christian celebration of the birth of Jesus Christ; Roman Catholic, Protestant, and new-calendar Orthodox.

December 26

- France: French paratroopers storm hijacked Air France jet in Marseilles, killing hijackers and freeing passengers. (1994)
- U.S.: Kwanzaa (African American and Pan African Holiday)

December 27

- Chechnya: Suicide bombers detonate two explosive-filled trucks at Cechnya’s pro-Moscow government building, killing 72 and wounding 210. (2002)
- Italy, Austria: Abu Nidal Organization (ANO) attacks Rome and Vienna airports; 18 dead and 121 wounded. (1985)

December 28

- Thailand: Black September takes hostages and seizes Israeli Embassy; hostages released in return for safe conduct. (1972)

December 29

- Columbia: Peace advocate Diego Turbay and six others killed in FARC ambush. (2000)
- Jewish: Hanukkah (eighth day) ends at sundown.
- U.S.: Earth Liberation Front claimed responsibility for the arsons of four Long Island, New York luxury homes. Reported estimated damages were \$160,000.

December 30

- Philippines: Series of bombs in Manila kills 16 and injures at least 30; ASG suspected. (2000)
- Iraq: Saddam Hussein’s execution was carried out. (2006)

December 31

- West Bank: Right-wing extremist Binyamin Kahane and wife killed in ambush by Intifada Martyrs. (2000)
- New Year’s Eve