

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

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TRACEY CORDES, CLERK
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
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UNITED STATES OF AMERICA,

Plaintiff,

No. 2:11-cr-49

vs.

Hon. Robert Holmes Bell
United States District Judge

JOHN FRANCIS LECHNER and
KENNETH AGEED KASSAB,

Defendants.

SUPERSEDING
INDICTMENT

The Grand Jury charges:

COUNT 1
(Transportation of Explosive Materials)

During November 2010, in Chippewa County, in the Western District of Michigan, Northern Division, the defendants,

**JOHN FRANCIS LECHNER and
KENNETH AGEED KASSAB,**

neither of whom was a licensee or permittee, knowingly transported and caused to be transported, and aided and abetted the transportation of, the following explosive materials: a mixture of ammonium nitrate and fuel oil, which is commonly known as "ANFO."

- 18 U.S.C. § 842(a)(3)(A)
- 18 U.S.C. § 841(c), (d), (j), (m)
- 18 U.S.C. § 844(a)(1)
- 18 U.S.C. § 2(a)
- 75 Fed. Reg. 1,085
- 75 Fed. Reg. 70,291

COUNT 2
(Convicted Felon in Possession of Explosives)

During November 2010, in Chippewa County, in the Western District of Michigan, Northern Division, the defendant,

KENNETH AGEED KASSAB,

a person who had been previously convicted in any court of a crime punishable by imprisonment for a term exceeding one year, possessed the following explosives which had been shipped or transported in interstate commerce: a mixture of ammonium nitrate and fuel oil, which is commonly known as "ANFO."

18 U.S.C. § 842(i)(1)
18 U.S.C. § 841(d), (l)
18 U.S.C. § 844(a)(1)
75 Fed. Reg. 1,085
75 Fed. Reg. 70,291

COUNT 3
(Improper Storage of Explosive Materials)

During November 2010, in Chippewa County, in the Western District of Michigan, Northern Division, the defendant,

JOHN FRANCIS LECHNER,

stored the following explosive materials in a manner not in conformity with regulations promulgated by the Attorney General: a mixture of ammonium nitrate and fuel oil, which is commonly known as "ANFO."

18 U.S.C. § 842(j)

18 U.S.C. § 841(c), (d)

18 U.S.C. § 844(b)

75 Fed. Reg. 1,085

75 Fed. Reg. 70,291

27 C.F.R. § 555.201 et seq.

COUNT 4
(Possession of Explosives While Under Indictment)

From on or about August 24, 2011 to on or about September 21, 2011, in Chippewa County, in the Western District of Michigan, Northern Division, the defendant,

JOHN FRANCIS LECHNER,

a person who was then under indictment for one or more crimes punishable by imprisonment for a term exceeding one year, possessed the following explosives which had been shipped or transported in interstate commerce:

- blasting caps,
- detonating cord,
- detonators, and
- approximately 4,200 pounds of a mixture of ammonium nitrate and fuel oil, which is commonly known as "ANFO."

18 U.S.C. § 842(i)(1)
18 U.S.C. § 841(d), (e), (f), (l)
18 U.S.C. § 844(a)(1)
75 Fed. Reg. 70,291

COUNT 5
(False Statement to Law Enforcement)

On or about September 8, 2011, in Chippewa County, in the Western District of Michigan, Northern Division, the defendant,

JOHN FRANCIS LECHNER,

knowingly and willfully made a materially false statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States, to wit: the defendant (a) falsely stated that he did not have explosives and explosive materials, and (b) falsely stated that he no longer possessed a mixture of ammonium nitrate and fuel oil, which is commonly known as "ANFO."

18 U.S.C. § 1001(a)(2)

COUNT 6
(Transportation of Explosive Materials)

On or about September 20, 2011, in Chippewa County, in the Western
District of Michigan, Northern Division, the defendant,

JOHN FRANCIS LECHNER,

a person other than a licensee or permittee, knowingly transported and caused to be
transported the following explosive materials: approximately 4,200 pounds of a
mixture of ammonium nitrate and fuel oil, which is commonly known as "ANFO."

18 U.S.C. § 842(a)(3)(A)
18 U.S.C. § 841(c), (d), (j), (m)
18 U.S.C. § 844(a)(1)
75 Fed. Reg. 70,291

COUNT 7
(Distribution of Explosive Materials)

On or about September 20, 2011, in Chippewa County, in the Western District of Michigan, Northern Division, the defendant,

JOHN FRANCIS LECHNER,

a person other than a licensee or permittee, knowingly distributed the following explosive materials to a person other than a licensee or permittee: approximately 4,200 pounds of a mixture of ammonium nitrate and fuel oil, which is commonly known as "ANFO."

18 U.S.C. § 842(a)(3)(B)
18 U.S.C. § 841(c), (d), (j), (m)
18 U.S.C. § 844(a)(1)
75 Fed. Reg. 70,291

COUNT 8

(Distribution of Explosive Materials to a Convicted Felon)

On or about September 20, 2011, in Chippewa County, in the Western District of Michigan, Northern Division, the defendant,

JOHN FRANCIS LECHNER,

knowingly distributed the following explosive materials to an individual who had been convicted in any court of a crime punishable by imprisonment for a term exceeding one year: approximately 4,200 pounds of a mixture of ammonium nitrate and fuel oil, which is commonly known as "ANFO."

18 U.S.C. § 842(d)(2)
18 U.S.C. § 841(c), (d), (l)
18 U.S.C. § 844(a)(1)
75 Fed. Reg. 70,291

COUNT 9
(Improper Storage of Explosive Materials)

From on or about September 20, 2011 to on or about September 21, 2011, in Chippewa County, in the Western District of Michigan, Northern Division, the defendant,

JOHN FRANCIS LECHNER,

stored the following explosive materials in a manner not in conformity with regulations promulgated by the Attorney General:

- blasting caps,
- detonating cord,
- detonators, and
- approximately 4,200 pounds of a mixture of ammonium nitrate and fuel oil, which is commonly known as "ANFO."

18 U.S.C. § 842(j)
18 U.S.C. § 841(c), (d), (e), (f)
18 U.S.C. § 844(b)
75 Fed. Reg. 70,291
27 C.F.R. § 555.201 et seq.

FORFEITURE ALLEGATION

Upon conviction of any of the violations set forth in Counts 1, 2, 3, 4, 6, 7, 8 and 9 of this Superseding Indictment, the defendants,

**JOHN FRANCIS LECHNER and
KENNETH AGEED KASSAB,**

shall forfeit to the United States the explosive materials involved, used, and intended to be used in such violations.

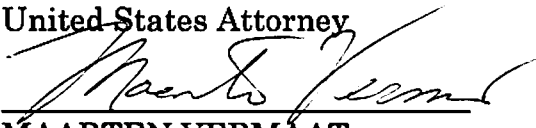
18 U.S.C. § 844(c)(1)
18 U.S.C. § 841(c), (d), (e), (f)

A TRUE BILL



GRAND JURY FOREPERSON

DONALD A. DAVIS
United States Attorney



MAARTEN VERMAAT
Assistant United States Attorney