2008 ANNUAL REPORT

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ADAM WALSH ACT

MARK TILLMAN DAYMAN

MARK TILLMAN DAYMAN, a 37-year-old resident of Helena, was sentenced to a term of:

- Prison: 16 months
- Special Assessment: $100
- Supervised Release: 3 years

DAYMAN was sentenced in connection with his guilty plea to failure to register as a sexual offender.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In January of 2006 in Spokane County Court, Washington, DAYMAN was convicted of indecent liberties non-forcible compulsion, a felony. DAYMAN was sentenced to the Washington State Department of Corrections. He served his 15 month term of imprisonment and was released on June 1, 2007 in Washington. DAYMAN was required to register as a sexual offender as part of the judgment and he knew of that requirement. DAYMAN last filled out a sexual offender registration form on June 27, 2007 in Spokane County, Washington, wherein he notified the county of his registration address as "homeless, place of stay H.O.C." He also was informed that he needed to register weekly as a transient and provide written notice of any change in address.

DAYMAN ultimately traveled to Montana where he resided in the Lewis & Clark County area. DAYMAN failed to register in Montana at any time from his arrival date in approximately August of 2007 until present. He also had an outstanding warrant for a probation violation and for failing to register as a sex offender out of Washington.

On October 29, 2007, a Deputy U.S. Marshal received information that DAYMAN, a prior convicted sexual offender from the State of Washington, was believed to have left his last known registered address in Spokane, Washington, and was residing in the Lewis & Clark County area.

The Montana Sexual and Violent Offender Registry and the Helena Police Department and the Lewis and Clark County Sheriff's Office confirmed that DAYMAN had not registered as required by law. The Montana Sexual and Violent Offender Registry confirms that DAYMAN is currently out of compliance with Montana's Sexual Offender Registry requirements and has been so since entering Montana in approximately August of 2007.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the U.S. Marshals Service.

TERRY ALAN ENSMINGER

TERRY ALAN ENSMINGER, a 34-year-old resident of Billings, appeared for sentencing. ENSMINGER was sentenced to a term of:

- Prison: 21 months
- Special Assessment: $100
- Supervised Release: 3 years

ENSMINGER was sentenced in connection with his guilty plea to failure to register as a sexual offender.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On June 11, 1999, ENSMINGER was convicted of third degree assault with sexual motivation, a felony, in the Superior Court of Washington, County of Spokane. ENSMINGER was sentenced to 6 months in jail with 12 months of community supervision to follow. He served his jail time, then was released on supervision in Washington. ENSMINGER was required to be registered as a sexual offender as part of the judgment and knew of that requirement. He also was informed that he needed to provide written notice of any change in address.

ENSMINGER last filled out a sexual offender registration form on August 24, 2007, in Washington, wherein he notified the county of his registration address in Spokane.

ENSMINGER ultimately traveled to Montana shortly thereafter, where he resided in the Billings area. ENSMINGER failed to register at any time in Montana.

On October 17, 2007, the United States Marshals Service received information that ENSMINGER was believed to have left his last known registered address in Spokane, Washington, and was residing in the Billings area. ENSMINGER was then arrested on an outstanding warrant for failure to register as a sexual offender out of Spokane County, Washington.

The Montana Sexual and Violent Offender Registry confirmed that ENSMINGER had not registered as required by law and the Yellowstone County Sheriff's also verified that he had not registered through their office. The Montana Sexual and Violent Offender Registry confirmed that ENSMINGER is currently out of compliance with Montana's Sexual Offender Registry requirements and has been so since entering Montana in approximately September of 2007.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the U.S. Marshals Service.

DONALD MELVIN HENSLEY, III

DONALD MELVIN HENSLEY III, a resident of Great Falls and Vancouver, Washington, was sentenced to a term of:

- Prison: 16 months
- Special Assessment: $100
- Supervised Release: 3 years

HENSLEY was sentenced after having been found guilty during a 1-day trial of failure to register as a sexual offender.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Marshals Service and the Clark County Sheriff's Office in Washington.

MICHAEL WILLIAM LUCAS SMITH

MICHAEL WILLIAM LUCAS SMITH, a 29-year-old resident of Billings, was sentenced to a term of:

- Prison: 31 months
- Special Assessment: $100
- Supervised Release: 3 years

SMITH was sentenced in connection with his guilty plea to failure to register as a sexual offender.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In January 1999, SMITH was sentenced to a term of thirty-six months of probation with 42 days of jail time, following a conviction for rape in the third degree, in Polk County Court, Oregon. SMITH was also convicted of rape in the third degree on October 27, 2006, in Polk County Court, Oregon. SMITH was sentenced to 15 months incarceration followed by a term of supervision of five years less his prison time.

Based upon his convictions, SMITH is required to register as a sexual offender under the Sexual Offender Registration and Notification Act and was aware of his registration

requirement as he was advised by the Probation Office and had registered in Oregon.

SMITH was released from prison on July 26, 2007. SMITH last filled out a sexual offender registration form on August 2, 2007, in Oregon, wherein he notified the county of his registration address. He also was informed that he needed to provide written notice of any change in address.

SMITH ultimately traveled to Montana shortly thereafter, where he resided first in the Lavina area and then in the Billings area at 1021 Custer Avenue. SMITH failed to register at any time in Montana from his arrival date in August of 2007 until he was arrested on an outstanding warrant for a parole violation out of Oregon, on September 25, 2007. The violation alleges that SMITH failed to fulfill the conditions of his supervision following his release from prison.

The Montana Sexual and Violent Offender Registry confirmed that SMITH did not register as required by law and the Yellowstone County Sheriff's Office also verified that he had not registered through their office. SMITH was required to register under the Sexual Offender Registration and Notification Act due to his conviction or convictions for rape in the third degree. The Montana Sexual and Violent Offender Registry confirms that SMITH is currently out of compliance with Montana's Sexual Offender Registry requirements and has been so since entering Montana in approximately August of 2007.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the United States Marshals Service.

THOMAS DEAN SMITH

THOMAS DEAN SMITH, a 34-year-old resident of Billings, Wolf Point, and Poplar, was sentenced to a term of:

- Prison: 36 months
- Special Assessment: $100
- Supervised Release: 3 years

SMITH was sentenced in connection with his guilty plea to failure to register as a sexual offender.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

May 5, 1996, SMITH was sentenced to a term of thirty-seven months imprisonment to the Bureau of Prisons following a conviction for abusive sexual conduct in the United States District Court in Billings. SMITH violated the terms of his supervised released

and was returned to prison for eighteen months.

Based upon his federal conviction, SMITH was required to register as a sexual offender under the Sexual Offender Registration and Notification Act.

In 2003, SMITH was arrested and charged and sentenced in state court for failing to register. SMITH violated the conditions of his supervision and was then sent to Montana State Prison.

SMITH last registered on May 5, 2006, but his whereabouts were unknown after that, therefore the Montana Sexual Offender Registry listed him as non-compliant with registration. When he was finally arrested, investigation revealed that SMITH had been living and traveling back and forth between Billings and the Fort Peck Indian Reservation.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the United States Marshals Service.

CHILD PORNOGRAPHY and COERCION/ENTICEMENT

BARRY LEE ARMBRISTER

BARRY LEE ARMBRISTER, a 31-year-old resident of Helena, appeared for sentencing. ARMBRISTER was sentenced to a term of:

- Prison: 240 months, consecutive to another sentence
- Special Assessment: $100
- Forfeiture: computer equipment
- Supervised Release: life

ARMBRISTER was sentenced in connection with his guilty plea to receipt of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On April 11, 2007, deputies from the Lewis and Clark County Sheriff's Office were dispatched to a domestic violence call at ARMBRISTER'S residence in East Helena. ARMBRISTER'S wife reported that he had grabbed her and thrown her against a wall after she tried to talk to him about a picture he had put of himself on a computer site. His wife stated that ARMBRISTER was on probation for a violent offense, had been drinking alcohol, and using illegal drugs in the house. ARMBRISTER was arrested for misdemeanor partner/family member assault.

ARMBRISTER'S state probation officer then arrived at the residence and met with the deputies and ARMBRISTER'S wife. His wife advised that ARMBRISTER had marijuana and several pipes in a storage shed and that he had beer in the refrigerator. The probation officer conducted a search and found the beer, drug paraphernalia and marijuana. In ARMBRISTER'S car, the probation officer found a letter from a girl named Rachel with sexual insinuations about a trip ARMBRISTER planned for Niagra Falls in July.

When questioned, ARMBRISTER'S wife said she didn't know anything about a girl named Rachel. The officer advised her that if Rachel was under the age of 18 and had sent any pornographic pictures of herself, ARMBRISTER would be in trouble. His wife then stated that ARMBRISTER had hundreds of pictures of young girls on his computer. The probation officer then seized the computers.

The next day, ARMBRISTER'S wife went to the probation office and turned over three CD-R disks. She reported that after the probation officer left the house the night before, she found the disks in ARMBRISTER'S desk. She stated that the disks had pictures of children involved in sexually explicit acts.

On April 27, 2007, ARMBRISTER'S wife was interviewed and detailed ARMBRISTER'S child pornography viewing. She reported that in the years she had known ARMBRISTER, he had a sexual interest in little girls. She stated that she had observed ARMBRISTER engaging in sex acts with female children both in his residence and in vehicles. She reported that when her two female children were aged 14 and 7 years they told her that ARMBRISTER had molested them. She also stated that ARMBRISTER had viewed child pornography at least eight years previously at another residence and currently continued to collect and watch child pornography on their home computer.

On May 29, 2007, ARMBRISTER was interviewed and admitted that he used the computers to search for and receive child pornography images and movies via the Internet. ARMBRISTER also admitted that he had saved child pornography to one of the CDs that his wife had given to the probation officer.

An analysis of the computers found numerous images and movies of child pornography, including images of known victims. Some of the children depicted in the images and movies were clearly less than age 12 or prepubescent, and/or were engaged in sadism or masochism or other depictions of violence.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation, the Helena Police Department and the Montana Division of Criminal Investigation.

KENNETH EDWARD BURCH

KENNETH EDWARD BURCH, a 50-year-old resident of Billings, was sentenced to a term of:

- Prison: 121 months, consecutive to a state sentence
- Special Assessment: $100
- Supervised Release: life

BURCH was sentenced in connection with his guilty plea to possession of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

BURCH was on state supervision for hands-on offenses with two teen girls in 2000. BURCH served prison time and was paroled to Billings. As a condition of his parole, he was not allowed to use computers or the Internet.

On November 27, 2006, BURCH'S employer contacted BURCH'S parole officer to report that BURCH had been using the store computer and Internet to access and view child pornography. A store employee had inadvertently seen BURCH viewing an image which appeared inappropriate. The officer received consent from the pawn shop owner to do a quick scan of the computer which did show images of child pornography. The officer then contacted the Montana Cyber Crimes Task Force for assistance.

When questioned, BURCH admitted that he had been using the shop's computer to view child pornography for a period of six to eight weeks. The computer was not password protected and all store employees used the same account. BURCH noted his preference for teen girls and admitted that he would visit those sites for short periods of time while at work. BURCH erased the Internet history and deleted the images each time he viewed them to avoid detection.

Approximately 110 images containing child pornography were found on the computer when it was forensically examined.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the Montana Probation and Parole and the Internet Crimes Against Children Task Force.

JOHN ERIC CARPEGNA

JOHN ERIC CARPEGNA, a 49-year-old resident of Missoula, was sentenced to a term of:

- Prison: 97 months
- Special Assessment: $200
- Forfeiture: computer equipment
- Supervised Release: lifetime

CARPEGNA was sentenced in connection with his guilty plea to possession of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 4, 2006, the Dillon Police Department received a report that CARPEGNA had sexually assaulted a four-year old female child. In addition, CARPEGNA was reported to have previously had child pornography movies in his possession. During that investigation, a search warrant was issued for CARPEGNA'S property in Whitehall. Seized during that search were various items which included a laptop computer, a videocamera, marijuana and drug paraphernalia, a gun, some computer media and children's clothing.

A forensics analysis of the computer and related media revealed numerous images of child pornography that CARPEGNA received via the Internet and saved. CARPEGNA had searched the Internet for the images, using search terms that included "where to buy child porn," "preteen sex" and "lolita sex." CARPEGNA'S collection included images of children under the age of 12 or clearly prepubescent, as well as images of sadistic or masochistic abuse or images of violence.

CARPEGNA was charged in state court with the sexual abuse of the child. CARPEGNA pled guilty and has been sentenced in state court.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the Dillon Police Department, the U.S. Immigration and Customs Enforcement and the Montana Division of Criminal Investigation.

MARK ANDREW CHRISTENSEN

MARK ANDREW CHRISTENSEN, a 36-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 186 months
- Special Assessment: $100
- Forfeiture: computer equipment
- Supervised Release: life

CHRISTENSEN was sentenced in connection with his guilty plea to coercion and enticement.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Beginning in January of 2006, CHRISTENSEN began contacting a person on-line via the use of a computer and the Internet whom he believed was a young teenaged girl. CHRISTENSEN'S chats and instant messages were sexually explicit almost immediately and usually always centered around the two meeting for sex.

CHRISTENSEN was identified as the author of the chats and instant messages using the screen name "hornyguy59405". He sent pictures of himself to the "girl," who was actually an FBI agent posing as a child on-line. The two had a number of chats through June 5, 2006, when CHRISTENSEN came to Billings to meet the "girl" for sex. CHRISTENSEN stopped prior to the meeting to obtain condoms and KY jelly, which were found in his vehicle. CHRISTENSEN went to the meeting location and spoke with a female posing as the "girl." After confirming his identity, law enforcement agents arrested CHRISTENSEN.

When interviewed, CHRISTENSEN confessed to being "horneyguy59405" and to the sexual chats with the "girl." He admitted that he had planned to meet the "girl" for sex and wrote an apology letter to the person he believed was a real girl and her parents.

During a search of CHRISTENSEN'S motel room in Billings, law enforcement officers located a number of items of evidence, including a laptop computer and a condom. During a search of CHRISTENSEN'S truck, law enforcement officers located a camera that CHRISTENSEN planned to use to photograph the "girl" in sexual activity, condoms, and KY jelly. CHRISTENSEN's Yahoo! account was searched and numerous relevant items were located, including his profile, the pictures he sent to the "girl," his address book containing the "girl's" screen name, and other girls' names under the title of "possible sex," and CHRISTENSEN'S other Yahoo! profiles including "ill_pay_4_sex_in_59405" and "longhard59405", among others. CHRISTENSEN'S laptop computer was searched and numerous items of evidence located.

Prior investigations into CHRISTENSEN'S computer activities had occurred on several other occasions. CHRISTENSEN had numerous sexually explicit chats with a "girl" he believed to be under the age of consent from April of 2003 through March of 2004; that "girl" was actually another law enforcement officer. CHRISTENSEN again discussed meeting the "girl" for sex using the same screen name and sending the same pictures. CHRISTENSEN also had a sexually explicit chat with a "girl" he believed to be under the age of consent in January of 2004; that "girl" was actually yet another law enforcement officer.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation, the Billings Police Department and the U.S. Immigration and Customs Enforcement.

ERIC JAMES COTTRILL

ERIC JAMES COTTRILL, a 36-year-old resident of Helena, was sentenced to a term of:

- Prison: 24 months
- Special Assessment: $200
- Supervised Release: 10 years

COTTRILL was sentenced in connection with his guilty plea to receipt of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In May of 2007, the Jefferson County Sheriff's Office received a report that COTTRILL had been accessing child pornography via the Internet and his home computer at his residence in Montana City.

COTTRILL'S computer was seized and searched and images of child pornography were found. When questioned, COTTRILL admitted that he had originally accessed adult pornography Internet sites but then became curious and began accessing child pornography internet sites during 2006 and 2007. He reported that the sites included movies and images of young children engaged in sexual acts, including vaginal and anal penetration. COTTRILL also admitted that he knew what he was doing was illegal.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

DANIEL DIETZ

DANIEL DIETZ, a 37-year-old resident of Helena, was sentenced to a term of:

- Prison: 196 months
- Special Assessment: $200
- Restitution: $3,524.01
- Forfeiture: computer equipment
- Supervised Release: 10 years

DIETZ was sentenced in connection with his guilty plea to coercion and enticement and transfer of obscene material to minors.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

DIETZ was 36 years old when he met a thirteen-year-old girl at a Narcotics Anonymous meeting in Helena. DIETZ searched out the girl's My Space account and requested that he be placed on her friends list, which she did. DIETZ began e-mailing and chatting with the girl via computer and the Internet, making comments about how cute the girl was and how he wished he was 13 again, and how he could get in trouble for doing something with a 13-year-old girl. His conversations with her turned sexual and he sent her a picture of his erect penis, telling her to be sure to erase the picture and their chats off the computer so no one could see. He used a computer and cell phone to entice the girl into sexual activity, and they had sexual intercourse several times in Helena.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation, the Helena Police Department, the U.S. Immigration and Customs Enforcement, and the Montana Division of Criminal Investigation.

CHARLES DIKES

CHARLES DIKES, a 61-year-old resident of Helena, was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $200
- Supervised Release: life
- Forfeiture: computer equipment

DIKES was sentenced in connection with his guilty plea to receipt and possession of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

The Wyoming Internet Crimes Against Children Task Force initiated an undercover operation targeting peer-to-peer file sharing networks offering child pornography. In January and February of 2007, a computer utilizing the IP address assigned to DIKES at his residence in Helena had images of child pornography available to other peer-to-peer users.

On March 30, 2007, law enforcement agents from several agencies executed a search warrant at DIKES' Helena residence. Upon arriving at the residence, agents contacted DIKES and his former wife. Agents secured the residence and began to conduct the search. DIKES and his former wife were separated and interviewed alone.

DIKES admitted that he had used Limewire and Bit Torrent in the past, but that he believed he had gotten a computer virus from them so he uninstalled them. DIKES admitted that he saw child pornography while looking for pictures of celebrities on the Internet. He also admitted that he downloaded and printed out stories using Limewire from a site called "Asstr," that included stories and photographs of girls between the ages of 13 to 18 years old involved in incest.

As a result of the search warrant and subsequent search, agents seized a computer, 2 binders with printed child pornography stories and images, loose printed material of the same, a camera with disk, videotapes, and picture CDs. The seized items were examined and numerous images of child pornography were found, including images of known victims. Some of the children depicted in the images were clearly less than age 12 or prepubescent, and were engaged in sadism or masochism or other depictions of violence.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement, the Federal Bureau of Investigation, and the Helena Police Department.

MICHAEL STEVEN FINDER

MICHAEL STEVEN FINDER, a 47-year-old resident of Butte, FINDER was sentenced to a term of:

- Prison: 72 months
- Special Assessment: $100
- Forfeiture: computer equipment
- Supervised Release: lifetime

FINDER was sentenced in connection with his guilty plea to receipt of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

The Wyoming Internet Crimes Against Children Task Force initiated an undercover operation targeting peer-to-peer file sharing networks offering child pornography. Between September 2006 and February 2007, a computer utilizing the IP addresses assigned to FINDER at his Butte residence had images and movies of child pornography available to other peer-to-peer users.

On April 6, 2007, agents with the U.S. Immigration and Customs Enforcement (ICE) executed a search warrant at FINDER'S residence. FINDER was interviewed and stated that he had owned the computer in his bedroom for three years and that he had

used peer-to-peer software since 2004. FINDER also stated that his computer was password protected and the only other person who used his computer was his nephew, but that he was not allowed to use the peer-to-peer software. FINDER further stated that he did view movies that he knew were illegal and claimed that after he viewed the illegal movies he attempted to delete them but they kept "showing back up on his computer."

Also recovered during the search were various items of computer equipment. A forensic analysis of FINDER'S computer found numerous images and movies of child pornography, including images of known victims. Some of the children depicted in the images and movies were clearly less than age 12 or prepubescent, and/or were engaged in sadism or masochism or other depictions of violence. The movie titles were clearly indicative of child pornography.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement and the Montana Division of Criminal Investigation.

ERIC FEVOLD

ERIC FEVOLD, a 48-year-old resident of Missoula, was sentenced to a term of:

- Prison: 84 months
- Special Assessment: $100
- Forfeiture: computer equipment
- Supervised Release: life

FEVOLD was sentenced after having been found guilty during a 1-day trial of receipt of child pornography.

At trial, the government presented evidence of the following:

Beginning in April of 2006, the U.S. Immigration and Customs Enforcement (ICE) Cyber Crimes Center (C3) initiated an investigation into a criminal organization operating approximately 18 commercial child pornography websites on the Internet. The investigation, known as Operation Flicker, has identified nearly 5,000 people in the United States alone who have paid to subscribe to child pornography websites operated by this organization. The criminal organization operating the commercial child pornography websites was "Home Collection." The organization used various PayPal accounts in various business names to process the payments for access to these member-restricted websites.

C3 sent leads to ICE field offices to investigate their local purchasers. On May 29, 2007, an ICE agent was assigned to a lead involving FEVOLD.

On September 30, 2006, FEVOLD had purchased access to a member-restricted website associated with the subject identifier “Angel Collection 1006" and paid $79.95 for a 30-day subscription to the site. He made the payment to a PayPal account known to be one of the organization’s businesses. Once FEVOLD’S payment was confirmed, he received an e-mail notification from an e-mail address the C3 investigation has shown is associated with a “PayPal” account that is facilitating access to a number of child pornography website that then granted him access to the member-restricted website associated with the subject identified “Angel Collection 1006." FEVOLD used his e-mail address to subscribe and paid for the site with his credit card.

On June 27, 2007, ICE agents went to FEVOLD’S residence in Missoula with a search warrant. The two identified themselves, told FEVOLD that his name had surfaced in an investigation, and that they would like to speak to him.

When questioned, FEVOLD confirmed his e-mail address and credit card number, but claimed that he had never purchased access to a child pornography website.

A homemade computer, 8 computer hard drives, 13 writeable CD-ROMs, and 59 writeable DVDs were seized during the search. A forensic examination found over 40,000 image and movie files containing child pornography on one of the hard drives within FEVOLD’S computer.

On October 19, 2007, ICE agents went to FEVOLD’S place of employment in Missoula. When the agents advised FEVOLD that child pornography images had been found on one of the hard drives in his computer, FEVOLD admitted that he had saved images of child pornography on his computer. He further stated that he knew it was illegal to possess images of child pornography and that he was responsible for all of the images on the computer. FEVOLD also admitted purchasing access to a child pornography website.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

RALPH LEON FOX

RALPH LEON FOX, age 49, was sentenced to a term of:

- Prison: 1,320 months
- Special Assessment: $300
- Restitution: $22.50
- Supervised Release: lifetime

FOX was sentenced after having been found guilty during a 1-day trial of sexual exploitation of children and receipt and possession of child pornography.

At trial, the following evidence was presented:

On January 1, 2007, a woman contacted the Flathead County Sheriff's Office to report that her three daughters had disclosed that FOX had sexually abused, and in some cases, photographed them engaged in various sexually explicit acts.

The girls were interviewed, at which time they disclosed that FOX had sexually abused and photographed them. "Girl A" disclosed that FOX had sexually abused her and taken sexually explicit photographs of her during 2005 and 2006 in FOX'S residence.

On January 4, 2007, after a search warrant for FOX'S residence in Bigfork was obtained, officers arrived at his residence. When they approached the residence and told FOX why they were there, he attempted to flee and had to be subdued. Recovered during a search of the residence were numerous items of computer and photography equipment.

A forensic analysis found thousands of images of child pornography on the various media, including pictures and movies. They also found images that FOX had taken of "Girl A" engaged in sexually explicit conduct.

In 1984, in California, FOX was convicted of lewd or lascivious acts with a child under the age of 14. He served prison time and was paroled. However, he was later returned to prison on several occasions for parole violations.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement, the Flathead County Sheriff's Office, and the Montana Division of Criminal Investigation.

MATT FROST

MATT FROST, a 25-year-old resident of Billings, was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Forfeiture: computer equipment
- Supervised Release: life

FROST was sentenced in connection with his guilty plea to receipt of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

The Wyoming Internet Crimes Against Children Task Force initiated an undercover operation targeting peer-to-peer file sharing networks offering child pornography.

In May of 2005, a computer utilizing the IP address assigned to FROST at his residence in Billings had images of child pornography available to other peer-to-peer users.

On February 22, 2006, law enforcement officers executed a search warrant at FROST'S residence in Billings. FROST was interviewed and he admitted that he had used file sharing programs, his computer, and the Internet to receive and possess child pornography images. FROST stated that he had been doing so since the age of 16 and felt that he had a problem with child pornography. FROST also admitted that he had received child pornography images via e-mail from several other people.

Seized during the search were various items of computer equipment. When examined, numerous images of child pornography were found, including images of known victims. Some of the children depicted in the images were clearly less than age 12 or prepubescent, and/or were engaged in sadism or masochism or other depictions of violence.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the Billings Police Department, the Federal Bureau of Investigation and the U.S. Immigration and Customs Enforcement.

RICKY LEE HECTOR

RICKY LEE HECTOR, a 49-year-old resident of Missoula, formerly of Butte, was sentenced to a term of:

- Prison: 97 months
- Special Assessment: $100
- Supervised Release: 10 years

HECTOR was sentenced in connection with his guilty plea to receipt of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

U.S. Immigration and Customs Enforcement (ICE) agents ICE were investigating allegations of child pornography access by users utilizing the peer-to-peer file sharing network. One investigation involved a person in Missoula who made child pornography available to share via a file sharing program beginning in October of 2006 and continuing into 2007. ICE agents tracked the computer IP address to a residence in Missoula.

On March 15, 2007, they executed a search warrant on that residence. HECTOR was at the residence when the agents arrived. When questioned, HECTOR admitted that he used the peer-to-peer file sharing program Limewire and that he occasionally used the program to search for adult pornography. HECTOR admitted that he had occasionally downloaded pornographic images containing preteen children, but that he had not intentionally downloaded them and deleted them as soon as he saw them. HECTOR then admitted that he didn't delete those files for a few days, and then terminated the interview.

Agents seized a computer and other computer equipment. They also discovered over 200 pages of printed child pornography pictures in HECTOR'S dresser drawer and a notebook with suspected child pornography search terms written in it. Subsequent forensic examination revealed thousands of images and hundreds of movies of child pornography that HECTOR had received via the Internet during 2006 and 2007 and continued to possess until the service of the warrant. HECTOR possessed images and movies of children clearly prepubescent and children engaged in sadistic or masochistic abuse or other depictions of violence.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

MONTY JEROME HENDY

MONTY JEROME HENDY, age 30, formerly of Helena, was sentenced to a term of:

- Prison: 36 months
- Special Assessment: $100
- Supervised Release: 5 years

HENDY was sentenced in connection with his guilty plea to possession of child pornography

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

HENDY was an inmate at the Crossroad Correctional Center in Shelby in August of 2006. Officers were searching HENDY'S cell and found a photo album with magazine cutouts inside, a violation of the prison's policy. The cutouts were confiscated and images of child pornography were found hidden behind the cutouts. The images were small "positives," or colored slide-sized images.

When interviewed, HENDY acknowledged that he possessed the images of child pornography, but claimed that he had gotten the images from another inmate and was paid $50 to hold them for the other inmate.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

BASIL PETER HERBST

BASIL PETER HERBST, a 42-year-old resident of Billings, was sentenced to a term of:

- Prison: 840 months
- Special Assessment: $2,000
- Supervised Release: lifetime

HERBST was sentenced in connection with his guilty plea to seventeen counts of sexual exploitation of children and receipt, possession, and transportation of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On July 9, 2007, law enforcement began an investigation after a foster family reported concerns about HERBST and their mildly handicapped adult foster daughter.

On July 24, 2007, in relation to this investigation, HERBST gave his consent for agents to review his laptop computer for images of child pornography. He also stated that he owned a Kodak digital camera and a digital video camera.

On July 25, 2007, computer forensic examiners viewed the images stored on the hard drive of HERBST'S laptop computer. During the review, 40 images of a young juvenile female depicting nudity, including the lascivious exhibition of the girl's genitalia were discovered. Several photographs also depicted the girl performing fellatio on a white adult male who had brown pubic hair. At least three additional photographs depicted vaginal intercourse between the girl and a white adult male who had brown pubic hair. Although the adult male's face was not depicted in those pictures, he was clearly wearing a silver thumb ring and a tattoo appeared on his abdomen above the genitals.

Further investigation revealed that the pictures were taken by HERBST with a Kodak digital camera. Another officer, familiar with HERBST and his family, identified the young girl in the pornographic pictures as HERBST'S daughter. The officer also stated that HERBST has many tattoos and when the officer interviewed HERBST on July 24, 2007, he was wearing a silver thumb ring on his left hand.

As the investigation continued, the agents found numerous sexually explicit images and several movies of the same girl taken between approximately 2003 or 2004 and 2007. Law enforcement were able to identify various locations and hotels where HERBST produced the child pornography images. HERBST took the pictures in various

locations, including an outdoor location in Billings in a vehicle somewhere in the county outside of Billings, at the Dude Rancher Lodge in Billings, at the Kelly Inn in Billings, by the Yellowstone River in Billings, at the LaQuinta Inn in Great Falls, at the Quality Inn in Dickinson, North Dakota, at his residence in Billings and elsewhere.

The agents also found other sexually explicit images of another young female relative of HERBST'S that he had taken at several locations as well. The images depicted the girl engaged in a lascivious exhibition of her genitals as well as involved in performing fellatio on HERBST. HERBST produced the images using materials that traveled in interstate or foreign commerce and the images themselves traveled as well.

Sexually explicit images of HERBST'S daughter have been found in two other child pornography cases investigated in Billings, and images of her have also been seen by employees of the National Center for Missing and Exploited Children during their analysis of images in computer cases from other jurisdictions.

HERBST transported the child pornography images from Montana to North Dakota and back during his travels. In addition, HERBST had other child pornography images that he had received via the Internet and saved to his computer from a date unknown and continuing through July 26, 2007, when his computer was seized.

HERBST was a parent, legal guardian or person having custody or control over the two girls when the conduct occurred. Many of the images were taken by HERBST when he was home from Iraq where he was in the military.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation, the Billings Police Department and the U.S. Immigration and Customs Enforcement.

GREGORY CODY HERNDON

GREGORY CODY HERNDON, a 22-year-old resident of Great Falls and Cobb County, Tennessee, was sentenced to a term of:

- Prison: 108 months
- Special Assessment: $100
- Forfeiture: computer equipment
- Supervised Release: 3 years

HERNDON was sentenced in connection with his guilty plea to possession of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

During an investigation by U.S. Immigration and Customs Enforcement (ICE) agents of allegations of child pornography violations by users utilizing the peer-to-peer file sharing network. One investigation involved a person in Great Falls who was found to have images of child pornography in his file sharing program beginning in November 2006 through February of 2007. ICE agents tracked the computer IP address to a residence in Great Falls which had been HERNDON'S previous residence.

Further investigation revealed that in February of 2007, HERNDON moved to another apartment in Great Falls. The agents executed a search warrant on that residence on March 23, 2007.

HERNDON was questioned and initially claimed that he had already sold his laptop computer on eBay; however, the laptop was found under the couch in HERNDON'S new residence. HERNDON then admitted that he used the LimeWire file sharing program but claimed that he did not intentionally receive child pornography, but may have accidentally viewed or received the images while search for pornography on the Internet.

Approximately eleven movies containing child pornography were found during a forensic examination of HERNDON'S laptop computer.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

JOHN WILLIAM HOY

JOHN WILLIAM HOY, a resident of Trout Creek, was sentenced to a term of:

- Prison: 97 months
- Special Assessment: $100
- Supervised Release: life

HOY was sentenced in connection with his guilty plea to receipt of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In April of 2006, the U.S. Immigration and Customs Enforcement (ICE) Cyber Crimes Center initiated an investigation into a criminal organization operating numerous commercial child pornography websites on the Internet. The investigation, known as Operation Flicker, has identified thousands of people in the United States who have subscribed to various child pornography websites operated by this organization. In May of 2007, ICE in Great Falls received information that a Trout Creek resident, HOY, was among the subscribers identified. HOY had purchased access to commercial child

pornography websites on two different occasions.

A search warrant was obtained to search HOY'S residence. Agents seized various items of evidence including computers and digital storage media. A subsequent forensic analysis of HOY'S computer revealed thousands of child pornography movies and images, many of known children and including children clearly prepubescent or under the age of 12 engaged in sadistic or masochistic activity or other depictions of violence. Also found was a history of Internet browsing for child pornography, links to various child pornography websites and evidence confirming HOY'S purchase of access to the commercial child pornography websites.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

SHAWN KEVIN JACKSON

SHAWN KEVIN JACKSON, a 45-year-old resident of Clancy, was sentenced to a term of:

- Prison: 75 months
- Special Assessment: $100
- Supervised Release: life

JACKSON was sentenced after having been found guilty during a 4-day trial of receipt and possession of child pornography.

The evidence at trial revealed that JACKSON subscribed to four different commercial child pornography websites on seven different occasions in 2007, receiving and possessing various child pornography images and movies. JACKSON was caught because he used his business debit cards, his wife's credit card and his PayPal accounts to make the purchases. Operation Flicker is a national operation run by ICE C3, leading to a number of prosecutions and convictions.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement and the Montana Division of Criminal Investigation.

BYRON JENISON

BYRON JENISON, a 52-year-old resident of Helena, was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $200

- Forfeiture: computer equipment
- Supervised Release: life

JENISON was sentenced in connection with his guilty plea to receipt and possession of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In 2006, the Miami FBI office utilized peer-to-peer file sharing software to track persons who had child pornography. In April of 2006, a computer utilizing the IP address later found to be assigned to JENISON at his address in Helena, had images of child pornography available to other peer-to-peer users. The agents downloaded images of child pornography publicly available on JENISON'S computer.

On June 27, 2006, FBI agents executed a federal search warrant at the residence and seized numerous items of computers and computer-related equipment. When questioned, JENISON admitted that he typically spent most of the day surfing the Internet and admitted that he had viewed and downloaded child pornography via the Internet and several computers. JENISON also admitted that he used the file sharing program identified by the Miami FBI agent to share child pornography files with others on the Internet.

Forensic analysis of the computers revealed numerous image files and movies containing images of children engaged in sexually explicit conduct.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

ROBERT JERNBERG

ROBERT JERNBERG was re-sentenced to a term of:

- Prison: 87 months
- Special Assessment: $400
- Supervised Release: 5 years

JERNBERG was re-sentenced in connection with his guilty plea to possession and distribution of child pornography after his original sentence was appealed to the Ninth Circuit Court of Appeals. The sentence was reversed and remanded back to U.S. District Court for re-sentencing.

Assistant U.S. Attorney Marcia K. Hurd prosecuted this case for the United States.

PATRICK LEGAN

PATRICK LEGAN, a 36-year-old resident of Missoula, was sentenced to a term of:

- Prison: 132 months
- Special Assessment: $200
- Forfeiture: computer equipment
- Supervised Release: life

LEGAN was sentenced in connection with his guilty plea to receipt and possession of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

The Wyoming Internet Crimes Against Children Task Force initiated an undercover operation targeting peer-to-peer file sharing networks offering child pornography. Beginning in July of 2006 and continuing until the end of December 2006, a computer utilizing the IP address assigned to LEGAN at his residence in Missoula had images of child pornography available to other peer-to-peer users.

On March 7, 2007, agents with U.S. Immigration and Customs Enforcement (ICE) executed a search warrant at LEGAN'S residence in Missoula. Found during the search were numerous items of computer hardware, software and storage devices mostly belonging to LEGAN. The items seized during the search warrant were forwarded to the ICE computer forensics lab in Boise, Idaho for analysis. That analysis revealed numerous image files LEGAN knowingly received and continued to possess via the Internet.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the Wyoming Internet Crimes Against Children Task Force and the U.S. Immigration and Customs Enforcement.

DANA FRANCIS MATT

DANA FRANCIS MATT, a 30-year-old resident of Ronan, was sentenced to a term of:

- Prison: 108 months
- Special Assessment: $100
- Supervised Release: 10 years

MATT was sentenced after having been found guilty during a 2-day trial of receipt of child pornography.

At trial, the government presented evidence of the following:

In September of 2006, a woman employed with the Montana Nurse's Association was at Sloan's Bridge on the Flathead Reservation when her vehicle was vandalized and her work laptop and numerous other items of property were stolen. The laptop computer was equipped with anti-theft software from the LoJack Company, which uses software to track stolen laptop computers.

On May 16, 2007, a Ronan Police detective received information from LoJack that they had a hit on the stolen laptop computer. The information they had showed the IP address of the user in Ronan and their software also captured someone attempting to access child pornography on the Internet. The detective passed the information to the Lake County Sheriff's Office, as the location of the computer was outside the city limits of Ronan.

On June 15, 2007, a search was executed at the residence where MATT and his mother and stepfather were living. Recovered during the search was the stolen laptop computer and computer bag. A later search also recovered a pill bottle that had the name of the woman from the Montana Nurses's Association on it.

When questioned, MATT'S mother reported that she had purchased the computer from her son-in-law for $200 in February of 2007. The son-in-law reported that he had purchased the computer from a pawn shop in Missoula in January of 2007. All of the family claimed that they did not know the computer was stolen.

LoJack reported that the software captured keystroke logging indicative of child pornography searches, incuding: pedofile, hussyfan, roygold, babshivid, kidzilla, lolita guy, lolita, liluplanet, child lover, mafia sex, kid quality, illegal kid sex, real incest, underage, india lolita, pthc, lordofthering, columbia prostitute, kiddy rape, taboo incest, child porn, child incest and king pass. The search terms were entered using the peer-to-peer file sharing software Limewire. Around the same time as the searches were running, a Yahoo! email account was accessed and the computer pinball game logged a user name of "Dana M." as the high scorer. Those searches took place in May and June of 2007. Investigation revealed that the email account had belonged to MATT and that he had that account since 2001.

Later in June, the detective returned to the residence to speak with the family. MATT admitted that he had been using the computer to search for pornography and the search terms reported by LoJack were similar to those he had used. MATT also admitted that he would begin downloads of material on Limewire and then play the computer's pinball game to pass the time while the downloads progressed.

In a second interview, MATT admitted that the family had previously had another computer that was currently at a computer store in Ronan, as it had broken down. MATT admitted that there would likely be child pornography on that computer too, as he

had used it in the past to search for child pornography.

A forensic examination of both computers revealed images and movies of child pornography, as well as search terms indicative of searching for child pornography.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the Lake County Sheriff's Office.

WALTER MERLE OVERTON

WALTER MERLE OVERTON, a 56-year-old resident of Manhattan, was sentenced to a term of:

- Prison: 235 months
- Special Assessment: $400
- Restitution: $432.76
- Forfeiture: related equipment
- Supervised Release: lifetime

OVERTON was sentenced after having been found guilty during a 2-day trial of two counts of sexual exploitation and receipt and possession of child pornography.

At trial, the government presented evidence of the following:

On June 5, 2006, OVERTON'S stepdaughter, age 18 at the time, told a teller at a Manhattan bank that her stepfather had raped her that morning. OVERTON was outside the bank waiting in the van for the victim to deposit checks. The teller called the Sheriff's Office and an investigation began.

Sometime in the early morning of June 5, 2006, OVERTON and his wife had left for work at Montana State University where they were both employed. Later that morning, OVERTON had made his way back to the family home. The victim testified that she was in bed and that OVERTON entered her room and told her that "this could be a life threatening experience or a life learning experience" and that he was in possession of a knife.

OVERTON admitted that he went to the room but denied the knife was his, asserting that the knife was one kept by the victim under her pillow. The victim was told to remove her clothes and then she was photographed with a digital camera.

Testimony was also presented that OVERTON had photographed the victim on two previous occasions. OVERTON had admitted to his wife that he had photographed the victim when she was a minor and that the pictures depicted her without her clothes on. His wife told him to get rid of the photographs and to not let it happen again. Instead,

OVERTON copied the photographs to a small disc and transferred them to his work computer. He later reinstalled the nude pictures of the victim on the home computer claiming he did so because the victim wanted "copies" of the pictures.

A forensic review of OVERTON'S work computer and home computer revealed nude images of the victim and his wife and child pornography images.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Montana Division of Criminal Investigation.

NATHAN REMI PLOUFFE

NATHAN REMI PLOUFFE, a 27-year-old resident of Pablo, was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $100
- Forfeiture: computer equipment
- Supervised Release: life

PLOUFFE was sentenced in connection with his guilty plea to receipt of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

The Wyoming Internet Crimes Against Children Task Force initiated an undercover operation targeting peer-to-peer file sharing networks offering child pornography. In April of 2007, a computer utilizing the IP address assigned to PLOUFFE at his residence in St. Ignatius, had numerous images of child pornography available to other peer-to-peer users.

On June 22, 2007, law enforcement officers executed a search warrant at PLOUFFE'S residence and seized various items of computer equipment.

Further investigation found that PLOUFFE had pawned a computer in Polson and that computer was also seized. When questioned, PLOUFFE admitted that he had built one of the computers and that he was a trained computer technician. He tried to blame a former friend for the images, but forensic examination found that the images were saved by PLOUFFE in his user account and some had been acquired by PLOUFFE via peer-to-peer file sharing software.

The seized items were examined and numerous images of child pornography were found, including images of known victims. Some of the children depicted in the images

were clearly less than age 12 or prepubescent, and were engaged in sadism or masochism or other depictions of violence.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement and the Montana Department of Criminal Investigation.

CARL WHIPPO PATTERSON

CARL WHIPPO PATTERSON, a 23-year-old resident of Belgrade, was sentenced to a term of:

- Prison: 360 months, concurrent with another sentence
- Special Assessment: $200
- Forfeiture: cell phone, camera
- Supervised Release: life

PATTERSON was sentenced in connection with his guilty plea to two counts of sexual exploitation of children.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On December 13, 2005, a woman in Gallatin County discovered images of her six-year old daughter engaged in sexually explicit conduct on a cellular camera phone belonging to PATTERSON. When the child was questioned by law enforcement officials, she disclosed that PATTERSON had sexually abused her on a number of occasions and had taken the cell phone pictures as well as a videotape of her during those sexual acts.

During a search of PATTERSON'S residence in Belgrade, the videotape was found. The cellular phone images and the videotape were made in November and/or December of 2005 at PATTERSON'S residence in Belgrade.

When questioned by law enforcement, PATTERSON admitted that he had sexually abused the child and recorded that abuse via both the cell phone and video camera.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Gallatin County Sheriff's Office.

DANIEL LEE PRUS

DANIEL LEE PRUS, a 25-year-old resident of Bozeman, was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $100
- Supervised Release: lifetime

PRUS was sentenced in connection with his guilty plea to receipt of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On November 3, 2007, a computer was brought to the Bozeman Police Department by an individual. The individual had found the computer abandoned and sitting outside a dumpster in Bozeman. The individual stated that he was in the process of rebuilding the computer when he found what appeared to be child pornography on the computer. Officers powered up the computer and found information identifying the computer as formerly belonging to PRUS, as well as finding numerous images and movies of children engaged in sexually explicit conduct.

On December 7, 2007 a search warrant was executed on PRUS' residence. PRUS voluntarily gave a statement to detectives stating that he had purchased two new computers and transferred all the child pornography images onto his new computer prior to throwing the old computer out. PRUS acknowledged that the computers contained numerous images and movies of child pornography, some of which were obtained through Kazaa or purchased and downloaded via the Internet. PRUS also admitted that he had viewed all the child pornography images on his computer.

A subsequent forensic analysis of PRUS' computer revealed over 2,000 images and over 200 videos of children engaged in sexually explicit conduct, including many known children and including children clearly prepubescent or under the age of 12 engaged in sadistic or masochistic activity or other depictions of violence.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the Bozeman Police Department, the Federal Bureau of Investigation and the Montana Division of Criminal Investigation.

FREDERICK PHILLIP RECTENWALD

FREDERICK PHILLIP RECTENWALD, a 21-year-old resident of Missoula, was sentenced to a term of:

- Prison: 30 days

- Special Assessment: $100
- Supervised Release: life

RECTENWALD was sentenced in connection with his guilty plea to possession of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

U.S. Immigration and Customs Enforcement (ICE) agents were investigating allegations of child pornography access by users utilizing the peer-to-peer file sharing network. One investigation involved a person in Missoula who offered to share child pornography via a file sharing program beginning in 2006. ICE agents tracked the computer IP address to a residence in Missoula.

On April 10, 2007, the agents executed a search warrant on that residence. RECTENWALD was living at the apartment along with his sister and her two minor children. Agents seized two computers used by and belonging to RECTENWALD. Subsequent forensic examination revealed numerous items of child pornography that RECTENWALD had received via the Internet during 2006 and continued to possess during 2006 and continuing until the service of the warrant. Also found were a number of movies and some images, including children clearly prepubescent and children engaged in sadistic or masochistic abuse or other depictions of violence.

When questioned, RECTENWALD admitted that he had searched the Internet for child pornography using file sharing programs. RECTENWALD also admitted that he received and possessed child pornography movies and images, knowing that the images were illegal. He stated that he password protected his computer so that others could not access the images when they were living with him. RECTENWALD advised the agents that he had been viewing images of child pornography since the age of twelve, when his father, a convicted sex offender, introduced him to child pornography. RECTENWALD detailed the search terms he used to locate the images in question.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement in Kalispell.

ERIC CHANDLER RIGGS

ERIC CHANDLER RIGGS, age 24, was sentenced to a term of:

- Prison: 72 months
- Special Assessment: $100
- Supervised Release: 15 years

RIGGS was sentenced in connection with his guilty plea to receipt of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

The National Center for Missing and Exploited Children (NCMEC) received a CyberTipline report indicating that an individual had put numerous images of child pornography into a Yahoo! on-line account. The report was forwarded by NCMEC to the FBI in January of 2007 for further investigation, as the poster of the images was in Montana. The FBI determined that the IP address of the computer used to post the images was associated with MSU in Bozeman. The IP address ultimately was traced to RIGGS, who was a student and lived in college housing.

On May 10, 2007, officers served a search warrant on RIGGS' dorm room. RIGGS was questioned and admitted that he had received and possessed the child pornography images in question via the Internet and that he had uploaded images to Yahoo!photos. He also admitted that the Yahoo!photo accounts were password protected and he was the only person that had access to them. RIGGS further admitted that he kept the images for sexual gratification and that he had used them for that purpose several times. RIGGS admitted that Yahoo! had shut down his account at some point in 2006.

A subsequent forensic analysis of RIGGS' computer revealed over a thousand images and 24 videos of children engaged in sexually explicit conduct, including many known children, and including children clearly prepubescent or under the age of 12 engaged in sadistic or masochistic activity or other depictions of violence. The images were received and possessed via the Internet and RIGGS' computer equipment.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

DANIEL MICHAEL SCHAFF

DANIEL MICHAEL SCHAFF, a 51-year-old resident of Billings, was sentenced to a term of:

- Prison: 240 months
- Forfeiture: computer equipment
- Supervised Release: 10 years

SCHAFF was sentenced in connection with his guilty plea to sexual exploitation of children and receipt of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

At various times in 2006, the National Center for Missing and Exploited Children received referrals regarding SCHAFF, alleging that he had made sexual advances to a child while on the Internet and that he had posted child pornography images on the Internet.

On March 29, 2007, law enforcement officers contacted SCHAFF at his residence in Billings to speak with him about the allegations. SCHAFF admitted that he had chatted with a minor female from Oregon and that he had encouraged her to send web cam images of herself in sexually explicit conduct across state lines via the Internet which she did. SCHAFF admitted that he sent the same type of images to her. SCHAFF was contacted by the girl's father and told to have no further contact with her. When she turned 18, SCHAFF traveled to Oregon to pick her up and brought her back to Billings to live with him for a period of time.

SCHAFF also admitted that he had used a credit card to purchase access to child pornography websites and reported that he had a "problem" with that activity and that images of that child pornography he had received via the Internet would be on his computer. SCHAFF'S computer and related items were seized and sent to the computer lab for forensic analysis.

The images found on the computer included children clearly under the age of twelve, including infants and toddlers, children engaged in sadistic or violent sexual activity, and numerous images of known victims.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation, the Billings Police Department, and the U.S. Immigration and Customs Enforcement.

DENNIS STRICKLAND

DENNIS STRICKLAND, a 39-year-old resident formerly of Great Falls, was sentenced to a term of:

- Prison: 240 months
- Special Assessment: $200
- Supervised Release: life

STRICKLAND was sentenced in connection with his guilty plea to receipt and possession of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

STRICKLAND, a registered and prior convicted sex offender, worked for the Montana

Department of Labor as a computer programmer. STRICKLAND was allowed to work from home using a laptop computer issued to him in August of 2006.

During January of 2007, an IT Technician in Helena observed what he believed was an impermissible icon on STRICKLAND'S work laptop computer that belonged to the State. When examined further by state personnel, numerous images of what appeared to be children under the age of 10 engaged in sexual acts were found. The images were divided into separate folders that had been labeled. STRICKLAND was the only authorized user of the laptop computer which was password protected. STRICKLAND was terminated from his employment with the State and moved to Washington.

STRICKLAND was located living in Washington with a woman and her young son and questioned about his computer. He admitted that he was the only user of the computer and that he had downloaded images, but claimed that he would only look at images of males over the age of 18. STRICKLAND'S roommate in Washington found a CD holder belonging to STRICKLAND that had hand-written labels including "Mike 18," and "Boy Pic video." When she viewed the contents of those CDs, they contained images of young male children engaged in sexual conduct. She told STRICKLAND to move out of the residence and he then traveled to Great Falls to see his parents. When he left their home to return to Seattle, he stole a handgun from them. STRICKLAND contacted his former roommate in Seattle and told her that he was going to kill himself. STRICKLAND later contacted the FBI agent with whom he spoke in Seattle and advised her that he left the gun under a bridge in Fall City, Washington, and no longer intended to kill himself. The agents searched the area but were unable to locate the handgun. STRICKLAND was arrested and returned to Montana.

A forensic computer analysis was done on STRICKLAND'S work computer. Found were numerous images and videos of male child pornography, including prepubescent children and sadistic or masochistic abuse or other depictions of violence. STRICKLAND had searched the Internet for child pornography images and videos using the terms "boys nude," "preteen," "pedo boy," "gay child porn nude boys" and others.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

ALEXANDER TALLON

ALEXANDER TALLON, a 24-year-old resident of Butte, was sentenced to a term of:

- Prison: 120 months
- Forfeiture: computer equipment
- Supervised Release: life

TALLON was sentenced in connection with his guilty plea to receipt and possession of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

The Wyoming Internet Crimes Against Children Task Force initiated an undercover operation targeting peer-to-peer file sharing networks offering child pornography. In January of 2006, a computer utilizing the IP address assigned to TALLON had images of child pornography available to other peer-to-peer users.

On July 18, 2006, agents with the U.S. Immigration and Customs Enforcement (ICE) executed a search warrant at TALLON'S residence in Butte. Recovered during the search were numerous items of computer hardware, software, and storage devices. Also on that date, a Dell computer previously rented by TALLON was received from Rent-A-Center.

On February 5, 2007, an agent received the forensic examination of the seized items. Found were numerous items of child pornography images and movies that TALLON had received via the Internet and saved to hard drives and other storage devices. The activity began in at least 2005 and continued until the service of the search warrant on July 18, 2006.

Also found during the forensic analysis were numerous sexually explicit chats that TALLON had via the Internet with underage females. In one chat, TALLON discusses one of his pre-pubescent female relatives and possible sexual activity with that female relative with another person.

The forensic exam also found movies, three of which appeared to be home movies of a young girl approximately 6 to 8 years of age who knew TALLON.

The forensic exam also found Yahoo instant messenger accounts under several different names. Within some of the instant messages there is dialogue between TALLON'S account names and others where they talk about trading pictures of underage girls, and further discourse that appears to show that actual trading was going on during chatting. Under the name "childpooh9", there are discussions with others talking about children in a sexual way, and wanting pictures of "little black girls" and "only want girl's that are 7 year old to 13 year old's."

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

LARRY TALSETH

LARRY TALSETH, a 56-year-old resident of Helena, was sentenced to a term of:

- Prison: 97 months
- Special Assessment: $100
- Supervised Release: lifetime

TALSETH was sentenced in connection with his guilty plea to receipt of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In April of 2006, the U.S. Immigration and Customs Enforcement (ICE) Cyber Crimes Center initiated an investigation into a criminal organization operating numerous commercial child pornography websites on the Internet. The investigation, known as Operation Flicker, has identified thousands of people in the United States who have subscribed to various child pornography websites operated by this organization.

In May of 2007, ICE agents in Great Falls received information that TALSETH, a Helena resident, was among the subscribers identified during Operation Flicker.

During the execution of a search warrant at his residence in Helena, TALSETH was interviewed and admitted to knowingly receiving and possessing child pornography images via the Internet on his home computer from approximately 2004 until July of 2007.

A subsequent forensic analysis of TALSETH'S computer revealed dozens of child pornography movies and thousands of child pornography images, many of known children and including children clearly prepubescent or under the age of 12 engaged in sadistic or masochistic activity or other depictions of violence.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

JAMES KENDALL THAYER

JAMES KENDALL THAYER, a 40-year-old resident of Belgrade, was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $200
- Supervised Release: 10 years

THAYER was sentenced in connection with his guilty plea to attempted coercion and possession of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 19, 2008, a deputy with the Gallatin County Sheriff's Office took a report from concerned parents in Bozeman. They related that on January 9, 2008, their 15 year-old son had gone with a family member to a car dealership in Bozeman. The family member purchased a vehicle and took it to the dealership's detail shop for cleaning and dealt with THAYER, the detail shop manager. When the teen picked up the vehicle, a dealership envelope was left sitting on the driver's seat. The envelope contained an application and a hand written letter signed by THAYER saying "I want you to work here (at the dealership) to be a detail guy." The teen dropped off the application, which included his cell phone number, to THAYER later in January.

THAYER called the teen and said that he was going to give the application to the human resources manager and that he would call back again to talk about what the human resources manager said about the job. The teen never heard back from the human resources manager.

Beginning in approximately early February, THAYER starting text messaging the teen on the cell phone number listed on the job application. Within a short period of time, the messages became sexually suggestive in nature and the family contacted law enforcement for assistance. A detective from the Gallatin County Sheriff's Office received permission to assume the teen's identity and cell phone in order to respond to THAYER'S numerous text messages.

On March 17, 2008, THAYER asked the teen if he wanted to "come over and chill" and offered to let him spend the night. THAYER told him that he was gay and asked if he minded; the teen replied that he didn't mind if THAYER was gay if THAYER didn't mind that the teen was 15. THAYER replied that it wasn't a problem at all.

Over the next several days, THAYER repeatedly text-messaged the teen trying to arrange for them to meet. When pressed by the teen for the purpose of the meet, THAYER said, "Nev mind. Im having a beers and don't want to say anything to get in trouble with u. or weird u out," followed by, "Well what if we were drinking and hanging and i asked to suck u off?" The teen reminded THAYER again that he was only 15, and THAYER replied, "Yea its ok, my first time messing around i was 14. We have to keep it on the down low." THAYER continued the text conversations several times daily with the teen, repeatedly attempting to set up a time for the two to meet to engage in sexual activity.

On March 28, THAYER began using a computer to communicate with the teen and helped the teen to set up a Yahoo! Messenger chat between the two. On that day, as

well as on March 29, THAYER and the teen, using Yahoo! Messenger, talked about several things which included THAYER'S desire to engage in sexual activity when they met in person.

On March 31, in another communication, the two agreed to meet in person on April 1 at a coffee shop in Belgrade. THAYER arrived early for the meeting and was arrested without incident. When questioned, THAYER admitted to all of the conduct described above. THAYER'S computer was seized and searched and images of child pornography were located. The images traveled in interstate or foreign commerce via computer and the Internet.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the Gallatin County Sheriff's Office.

KENNETH EDWARD THREADGILL

KENNETH EDWARD THREADGILL, a 53-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 1,020 months (85 years)
- Special Assessment: $800
- Forfeiture: computer equipment and cameras
- Supervised Release: lifetime

THREADGILL was sentenced in connection with his guilty plea to sexual exploitation of children and receipt and possession of child pornography.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

The Wyoming Internet Crimes Against Children Task Force (ICAC) initiated an operation targeting peer-to-peer file sharing networks offering child pornography. In November of 2006, a computer utilizing an IP address used by THREADGILL had images of child pornography available to other peer-to-peer users.

Agents with the U.S. Immigration and Customs Enforcement followed up on this information and THREADGILL consented to a search of his personal computers. A scan of these computers showed the presence of images of child pornography and a search warrant was executed at THREADGILL'S residence in Great Falls. Pursuant to the search warrant, additional computer equipment and storage devices were recovered, along with digital camera equipment, a video camera and video tapes.

The video tapes were of a young girl victim (d/o/b 1992) on camping trips with THREADGILL. The video shows the girl nude and engaged in sexually explicit conduct.

THREADGILL'S vehicle is shown in the video. Testimony would have established that THREADGILL produced these videos and that he had custody and control of the minor victim at the time the videos were made. Digital images found on THREADGILL'S computers show THREADGILL with the same victim while both are nude. The pictures were apparently taken of their reflection in a mirror.

A forensic analysis of THREADGILL'S computer equipment revealed more than 600 images of child pornography. The images include children clearly under the age of twelve engaged in sexually explicit conduct including images of penetration. THREADGILL used his computers to gain access to the Internet and download these images.

Images discovered also showed a prepubescent victim (d/o/b 2005) that THREADGILL had photographed while he was babysitting her for a friend. The child is shown on a quilt that has been identified as being on THREADGILL'S bed and which was taken as evidence during the search. The child is nude in the image.

Images discovered also show another prepubescent victim (d/o/b 2003) in images where she is photographed in the nude along with the older video taped victim. Testimony would establish that these children were all in THREADGILL'S custody and control at the time the images were produced.

Evidence would have shown that THREADGILL used the Internet to receive images of child pornography. It would have also established that his computers, the digital cameras used for still images, and the video camera used to produce the video tapes were all manufactured outside of Montana.

In response to today's sentencing, U.S. Attorney Mercer stated that, "The crimes committed by the defendant in this case were reprehensible. The investigation and prosecution in this case were all made possible by the cooperative efforts of the Wyoming Internet Crimes Against Children Task Force (ICAC), the U.S. Immigration and Customs Enforcement, and the U.S. Attorney's Office. The results in this case underscore how dedicated federal, state, and local law enforcement work to ensure that anyone who sexually exploits children are caught, prosecuted, and punished."

"Child pornography is the permanent record of a child being sexually exploited," said Jeffrey Copp, Special Agent in Charge of the ICE Office of Investigations in Denver. "These children are continually victimized every time those images are transmitted, downloaded, shared or viewed. ICE will continue to work closely with the U.S. Attorney's Office to protect young people in the community from those who attempt to sexually exploit them." Copp oversees a four-state area which includes: Montana, Colorado, Utah and Wyoming.

Assistant U.S. Attorney Michael S. Lahr prosecuted the case for the United States.

The investigation was a cooperative effort between the Wyoming Internet Crimes Against Children Task Force (ICAC) and the U.S. Immigration and Customs Enforcement.

ADAM DANIEL VOKT

ADAM DANIEL VOKT, a 28-year-old resident of Bozeman, was sentenced to a term of:

- Prison: 15 months
- Special Assessment: $100
- Supervised Release: 3 years

VOKT was sentenced in connection with his guilty plea to distribution of obscene material to minors.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On July 2, 2007, a Bozeman Police Department detective began an investigation into allegations that VOKT was sending numerous sexually explicit text messages via cell phone to a 14-year-old girl with whom he worked. The girl was interviewed and reported that VOKT, age 27, and she worked together for approximately one month. VOKT asked for her cell phone number which she gave him and the two began text messaging.

Beginning on approximately June 28, 2007, and continuing until July 2, 2007, VOKT'S text messages began to be sexual in nature. Knowing that the girl was only 14, VOKT talked about his sexual desires toward the underage girl, indicating that he wanted to perform various sexual acts on her and offered her beer and pot to come over to his residence. The messages were obscene and would violate community standards due to the girls' age and being incapable of consent to sexual activity.

When questioned, VOKT admitted that he had sent the messages and stated that he knew he shouldn't have talked to the girl in that way. VOKT knew that the girl was only 14, and referenced that age in one of his messages. VOKT used his cell phone to transmit the messages, which is a means of interstate or foreign commerce.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the Bozeman Police Department.

DRUGS

ESAK ABRAHAM

ESAK ABRAHAM, a resident of Seattle, Washington, was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Supervised Release: 5 years

ABRAHAM was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute crack cocaine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

From approximately November of 2003, up to an unknown date in 2006, in Billings and elsewhere ABRAHAM engaged in a conspiracy with several other individuals to possess with the intent to distribute over 50 grams of cocaine base a/k/a crack cocaine a/k/a rock cocaine or 5 kilograms of cocaine, a Schedule II controlled substance.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Billings Big Sky Safe Streets Task Force.

TYRONE ALLISON

TYRONE ALLISON, a 26-year-old resident of Billings, was sentenced to a term of:

- Prison: 94 months
- Special Assessment: $100
- Supervised Release: 5 years

ALLISON was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From the spring of 2005 until sometime in July of 2006, ALLISON engaged in a conspiracy with several other individuals to possess with the intent to distribute methamphetamine in the Billings area.

Assistant U.S. Attorney Eric B. Wolff and Special Assistant U.S. Attorney Sheila R.

Kolar prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

JOSE RAMON AMAYA-HERNANDEZ

JOSE RAMON AMAYA-HERNANDEZ, a 33-year-old citizen of Mexico, was sentenced to a term of:

- Prison: time served (100 days)
- Supervised Release: 1 year

AMAYA-HERNANDEZ was sentenced in connection with his guilty plea to making a false claim to U.S. citizenship.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On June 21, 2008, AMAYA-HERNANDEZ arrived at the Piegan Port of Entry after being refused entry into Canada as a result of his criminal record. AMAYA-HERNANDEZ is a citizen of Mexico. He was one of three occupants in a vehicle seeking to enter Canada.

Upon his arrival back to the United States at the Piegan Port of Entry, AMAYA-HERNANDEZ presented a Washington state ID card in his name and bearing his photograph. AMAYA-HERNANDEZ was asked if he had a birth certificate and he replied no. He was asked his country of citizenship and stated he was born in California and purported to be an United States citizen. He was then referred for further examination.

Officers searched the vehicle in which AMAYA-HERNANDEZ was traveling. The officers found a photocopied alien registration card and a photocopied Social Security card in the name of JOSE RAMON AMAYA-HERNANDEZ. A review of immigration records found that the alien registration number had been issued to another person.

Throughout the inspection process AMAYA-HERNANDEZ appeared to have difficulty completing an immigration declaration form in either English or Spanish language so an officer fluent in Spanish assisted him. Throughout the process he maintained he was born in California. On the declaration form AMAYA-HERNANDEZ attested that he was born in the United States and had never been arrested or charged with a crime.

When AMAYA-HERNANDEZ'S fingerprints were queried, the results indicated a previous arrest and conviction of one or more drug or other offenses.

While AMAYA-HERNANDEZ was being interviewed by officers, his girlfriend arrived from Canada and provided officers with his original Mexican birth certificate establishing that AMAYA-HERNANDEZ was not a citizen of the United States and he was arrested.

On June 22, 2008, AMAYA-HERNANDEZ was interviewed and admitted he had crossed the border from Mexico in August of 1992 without inspection. He traveled to and began living with an uncle in Seattle, Washington. He further stated that he worked in the Seattle area without immigration authorization through use of counterfeit Social Security and resident alien cards. AMAYA-HERNANDEZ also admitted he is a Mexican citizen born in Mexico.

Assistant U.S. Attorney George F. Darragh prosecuted the case for the United States.

The investigation was conducted by the U.S. Customs and Border Protection, Port of Sweetgrass Enforcement Office Program.

PEDRO AMESCUA-LOPEZ

PEDRO AMESCUA-LOPEZ, a 26-year-old resident of Pasco, Washington, was sentenced to a term of:

- Prison: 108 months
- Special Assessment: $100
- Supervised Release: 5 years

AMESCUA-LOPEZ was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On April 10, 2008, a Central Montana Drug Task Force (CMDTF) agent interviewed a confidential informant, CI-158, who lives in Cascade County. The informant stated that, since early 2007 he was supplied with marijuana and methamphetamine by two individuals. The informant stated the two individuals were known to him as “Frost” and “Hector.” The informant provided officers of the CMDTF with “Frost’s” driver’s license or a photocopy thereof. That document revealed that “Frost’s” actual name is Pedro AMESCUA-LOPEZ.

The informant stated AMESCUA-LOPEZ fronted methamphetamine to him, which he sold and then used the proceeds from the sale to repay his debt and obtain a front of a new shipment of methamphetamine. The informant stated the following: that in November of 2007, AMESCUA-LOPEZ provided him with one pound of methamphetamine; in December of 2008, AMESCUA-LOPEZ provided him with another one and one-half pounds of methamphetamine; in January of 2008,

AMESCUA-LOPEZ provided him with another pound of methamphetamine; and that in early April of 2008, AMESCUA-LOPEZ delivered ten ounces of methamphetamine to him.

The informant stated that, on the last occasion, he provided $28,000 to AMESCUA-LOPEZ for a prior drug debt. The informant said that while AMESCUA-LOPEZ retrieved the ten ounces of methamphetamine from his vehicle, "Hector" counted the $28,000 which the informant had just given to AMESCUA-LOPEZ.

Under monitoring by law enforcement agents, the informant placed a series of calls to AMESCUA-LOPEZ over several days in an effort to persuade AMESCUA-LOPEZ to deliver marijuana and methamphetamine to a location in Cascade County.

On April 13, 2008, AMESCUA-LOPEZ contacted the informant and indicated he was on his way to Montana. The informant arranged to meet AMESCUA-LOPEZ and "Hector" at the informant's residence. There, agents of the CMDTF planned to arrest AMESCUA-LOPEZ and "Hector." However, AMESCUA-LOPEZ and "Hector" were not observed at the informant's residence. Instead, the agents learned that a pickup truck with Washington license plates was at a nearby casino. As the agents arrived at the casino, the truck left the parking lot. One of the agents walked into the casino. As he did so, the agent found a driver's license for AMESCUA-LOPEZ.

Shortly thereafter, AMESCUA-LOPEZ called the informant. AMESCUA-LOPEZ told the informant he had left his driver's license at the casino and was going to return to get it. When AMESCUA-LOPEZ'S truck returned to the casino, he and "Hector" were arrested.

The agents then obtained a warrant to search the vehicle, where they recovered a small amount of marijuana, "pay and owe" slips documenting drug transactions, and at least one cell phone.

After being advised that a search warrant had been obtained, AMESCUA-LOPEZ stated, "You won't find anything in the car, but there's something in the bag."

Later, agents found approximately 290 grams of suspected methamphetamine hidden in a dog food bag on the front porch of the informant's home. The drugs were packaged in a manner consistent with the manner in which AMESCUA-LOPEZ had previously told the informant he packaged the drugs. The agents surmised that AMESCUA-LOPEZ and "Hector" left the drugs in the bag prior to the time the agents arrived at the home.

The suspected methamphetamine was submitted to the Drug Enforcement Administration (DEA) for analysis. A DEA chemist concluded the substance contained 77 grams of pure (actual) methamphetamine and approximately 290 grams of a substance containing a detectable amount of methamphetamine.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the Central Montana Drug Task Force and the U.S. Immigration and Customs Enforcement in Great Falls.

FRITZ ANDERSON

FRITZ ANDERSON, a 29-year-old resident of California, was sentenced to a term of:

- Prison: 480 months
- Special Assessment: $3,200
- Supervised Release: 12 years

ANDERSON was sentenced after having been found guilty during a 3-day trial of distribution of ecstasy and marijuana to a person under the age of 21.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the FBI's Big Sky Safe Streets Task Force, which includes the Billings Police Department and the Yellowstone County Sheriff's Office.

MATHEW ANTHONY

MATHEW ANTHONY, a resident of Watford City, North Dakota, was sentenced to a term of:

- Prison: 78 months
- Special Assessment: $100
- Supervised Release: 3 years

ANTHONY was sentenced after having been found guilty during a 2-day trial of conspiracy to possess with the intent to distribute methamphetamine.

Special Assistant U.S. Attorney Sheila R. Kolar prosecuted the case for the United States.

The investigation was conducted by the Drug Enforcement Administration.

DEREK ARD, PEGGY GLOCK and SUMMER OWENSBY
(ARD, GLOCK & OWENSBY)

DEREK ARD, age 31, PEGGY GLOCK, age 57, and SUMMER OWENSBY, age 22, residents of Bozeman, appeared for sentencing.

ARD was sentenced to a term of:

- Prison: 175 months
- Special Assessment: $100
- Supervised Release: 5 years

GLOCK was sentenced to a term of:

- Prison: 24 months
- Special Assessment: $100
- Supervised Release: 5 years

OWENSBY was sentenced to a term of:

- Prison: 41 months
- Special Assessment: $100
- Supervised Release: 5 years

They were sentenced in connection with their guilty pleas to conspiracy to possess with the intent to distribute and distribution of methamphetamine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

From late 2004 through June of 2005, ARD, GLOCK, OWENSBY, Tamalee Lindbom, Marvin "Buster" Quesenberry, Crystal Busby, and others were involved in a conspiracy to distribute methamphetamine in Central Montana.

Lindbom, Quesenberry and Busby pled guilty to federal charges and have been sentenced.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Drug Enforcement Administration.

ALFONSO DAVID AVINA

ALFONSO DAVID AVINA, a 31-year-old resident of Los Angeles, California, was sentenced to a term of:

- Prison: 96 months
- Special Assessment: $100
- Supervised Release: 5 years

AVINA was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In approximately June of 2005, Victor King, who lived in Havre, became involved in trafficking methamphetamine. Through another individual, hereafter referred to as H.B., King was introduced to AVINA, who lived in southern California.

AVINA began to serve as a source of methamphetamine for King. Initially, King provided money to H.B., who traveled to California and obtained pound quantities of methamphetamine from AVINA. H.B. in turn provided the methamphetamine to King for distribution in the Havre area via a network of subordinate drug dealers.

Eventually, King began to receive the methamphetamine directly from AVINA. He received some of the methamphetamine from AVINA by UPS shipments and some in hand-to-hand transactions.

Collectively, King received approximately six pounds of methamphetamine directly (either by hand-to-hand transactions or UPS shipments) from AVINA between February of 2006, and September 13, 2006.

On September 13, 2006, King was arrested. When questioned, he stated that AVINA had provided him with methamphetamine which King then distributed in Havre as part of the conspiracy.

At the request of the authorities, King contacted AVINA and attempted to purchase methamphetamine from AVINA. AVINA accepted the money from King and deposited a portion of the money into a bank account, but never provided the methamphetamine to King. AVINA'S fingerprints were found on an envelope related to communications between King and AVINA which involved the attempted transaction.

Victor King pled guilty to federal charges and was sentenced.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the Tri-Agency Safe Trails Drug Task Force and the Federal Bureau of Investigation in Havre.

HECTOR BACA-QUIROZ

HECTOR BACA-QUIROZ, a 36-year-old citizen of Mexico, was sentenced to a term of:

- Prison: 30 months

- Special Assessment: $100
- Supervised Release: 3 years

BACA-QUIROZ was sentenced in connection with his guilty plea to illegal re-entry by a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On August 9, 2007, BACA-QUIROZ was arrested in Gallatin County and charged with possession with intent to distribute dangerous drugs. He was convicted of that charge and served 225 days.

On April 9, 2008, the Gallatin County authorities contacted agents from the United States Immigration and Customs Enforcement (ICE). ICE had previously lodged a detainer on BACA-QUIROZ because they suspected him to be an alien illegally present in the United States. ICE agents took custody of BACA-QUIROZ and ran his fingerprints in their computerized database. The query revealed that BACA-QUIROZ was indeed an illegal alien. His immigration records reflected that he was deported from the United States on April 15, 2003, through the port of entry at San Ysidro, California, and on April 25, 2006, through the port of entry at El Paso, Texas. His 2006 removal included a lifetime ban.

There is no evidence in BACA-QUIROZ'S immigration file that he applied for permission to reenter the United States with either the Secretary of the Department of Homeland Security or the Attorney General.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

ANDREW BEAVERS

ANDREW BEAVERS, a 29-year-old resident of Billings, was sentenced to a term of:

- Prison: 300 months
- Special Assessment: $100
- Supervised Release: 10 years

BEAVERS was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute and distribution of cocaine and cocaine base, commonly referred to as crack cocaine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

From approximately November of 2003, up to an unknown date in 2006, in Billings and elsewhere, BEAVERS engaged in a conspiracy with several other individuals to possess with the intent to distribute and distribution of over 50 grams of cocaine base, commonly referred to as crack cocaine, or 5 kilograms of cocaine, a Schedule II controlled substance.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Billings Big Sky Safe Streets Task Force.

RODRICK NATHAN BEECH and ANTHONY NORMAN SMITH
(BEECH & SMITH)

ANTHONY NORMAN SMITH, a 32-year-old resident of Bozeman, and RODRICK NATHAN BEECH, a 37-year-old resident of Townsend, were sentenced.

SMITH was sentenced to a term of:

- Prison: 72 months
- Special Assessment: $100
- Supervised Release: 5 years

BEECH was sentenced to a term of:

- Prison: 70 months
- Special Assessment: $100
- Supervised Release: 5 years

They were sentenced in connection with their guilty pleas to conspiracy to distribute over 500 grams of methamphetamine. BEECH also pled guilty to being an unlawful user of a controlled substance in possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Between April of 2006, and continuing through July of 2007, BEECH and SMITH were involved in a conspiracy with several other individuals to distribute over 500 grams of methamphetamine in Meagher, Mineral, Lewis and Clark, and Gallatin counties.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Bozeman and Helena Missouri River Drug Task Force, the Drug Enforcement Administration, the Federal Bureau of Investigation, the Meagher County Sheriff's Office, the Mineral County Sheriff's Office and the Montana Highway Patrol.

JOSHUA BESTWINA

JOSHUA BESTWINA, a 29-year-old resident of Missoula, was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $200
- Supervised Release: 5 years

BESTWINA was sentenced after having been found guilty during a 2-day trial of conspiracy to distribute and distribution of methamphetamine.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the Missoula High Intensity Drug Trafficking Area (HIDTA) Task Force.

SCOTT BLANTON

SCOTT BLANTON, a resident of Billings, was sentenced to a term of:

- Prison: 240 months
- Special Assessment: $100
- Supervised Release: 10 years

He was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

BLANTON was involved with several other individuals in a conspiracy to possess with the intent to distribute over 500 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration, the City-County Special Investigation Unit in Billings, the Southwest Montana Drug Task Force, and the Madison County Sheriff's Office.

ANTHONY FRANCIS BOOK

ANTHONY FRANCIS BOOK, a 31-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 300 months
- Special Assessment: $100
- Supervised Release: 10 years

BOOK was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In late 2006, officers of the Great Falls Police Department and the U.S. Immigration and Customs Enforcement (ICE) began to investigate the illegal distribution of methamphetamine in Great Falls.

The officers learned that an individual, identified here as J.C., had imported multiple pounds of methamphetamine from California to Great Falls in the time period between January 1, 2005 and July 1, 2006.

As part of their investigation, the officers interviewed Tiffany King. She informed the officers that J.C. had employed her and BOOK as distributors of methamphetamine in Great Falls. She also indicated that she had personally delivered more than 500 grams of methamphetamine to BOOK to distribute.

When interviewed following his arrest in this matter, BOOK admitted that he had distributed methamphetamine on behalf of J.C. from January 1, 2005 to July 1, 2006. BOOK further admitted that he distributed in excess of 500 grams of a substance or mixture containing a detectable amount of methamphetamine.

The authorities interviewed multiple other participants in the conspiracy and those individuals identified BOOK as a distributor of methamphetamine during the above time period.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the Great Falls Police Department and the U.S. Immigration and Customs Enforcement.

WARREN K. BOOTS

WARREN K. BOOTS, a 39-year-old resident of Watford, North Dakota, was sentenced to a term of:

- Prison: 72 months
- Supervised Release: 8 years

BOOTS was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 19, 2006, an officer with the Montana Highway Patrol observed a vehicle that appeared to be traveling in an unsafe manner for the current weather conditions near Miles City. The officer stopped the vehicle with the intention of warning the driver to slow down for safety reasons. Upon making contact with the driver, the trooper smelled the odor of marijuana coming from the driver's window.

During a search of the vehicle, a plastic sandwich bag containing a small amount of marijuana; a digital scale and numerous small plastic bags commonly used for distribution of dangerous drugs; a cigarette pack containing a glass tube used to smoke methamphetamine; two small bags containing suspected methamphetamine; and a fanny pack hidden inside a pair of shorts containing three Zip-loc type plastic bags which contained additional bags of suspected methamphetamine were recovered.

The Drug Enforcement Administration lab analyzed the substance and found the amount of methamphetamine seized was 94 grams of a mixture of methamphetamine or 33.76 grams of pure methamphetamine.

Special Assistant U.S. Attorney Sheila R. Kolar prosecuted the case for the United States.

The investigation was conducted by the Drug Enforcement Administration.

KENNETH JAMES BOWLAN

KENNETH JAMES BOWLAN, a 39-year-old resident of Bozeman, was sentenced to a term of:

- Prison: 84 months
- Special Assessment: $100
- Supervised Release: 3 years

BOWLAN was sentenced in connection with his guilty plea to possession with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

A Montana Highway Patrol officer stopped Charles Parrish's vehicle for speeding. Parrish's confusing answers to routine questions aroused the suspicion of the officer.

The officer then questioned Parrish and his passenger, Rury Meza, separately and their stories were starkly different.

During a search of Parrish and his personal belongings, the officer found methamphetamine and material used to package the methamphetamine, including plastic baggies and gray duct tape, in a bag belonging to Parrish. He was then arrested and the vehicle impounded.

The officer then offered Meza a ride to town. Meza accepted and grabbed his bag. The officer advised Meza he would have to search the bag before he could allow it in his patrol car and Meza agreed to the search. Inside Meza's bag, the officer found baggies and duct tape similar to those found in the driver's bag, and also found over an ounce of what appeared to be methamphetamine. Meza was then arrested.

Later officers learned from an informant who had been in jail with Meza, that while in jail, Meza had bragged that the officers had missed a large quantity of methamphetamine when they searched the car. Armed with a new search warrant, officers searched the car again. As Meza had described, the officers found approximately 10 more ounces of methamphetamine in the car.

Later, other individuals involved in the conspiracy agreed to cooperate with the investigation and would have testified BOWLAN was the individual who was to receive a large portion of the methamphetamine that Parrish and Meza were transporting. The individuals would have testified that they had previously been in Bozeman where they witnessed BOWLAN receiving considerable quantities of methamphetamine and it appeared that Parrish and Meza were BOWLAN'S suppliers and BOWLAN'S cell phone number was found among Parrish's belongings. During a search of BOWLAN, methamphetamine was found on his person.

Parrish and Meza pled guilty to federal charges and have been sentenced.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was conducted by the Drug Enforcement Administration.

MARTHA ANN BRIESKE

MARTHA ANN BRIESKE, a 40-year-old resident of Havre, was sentenced to a term of:

- Prison: 64 months
- Special Assessment: $100
- Supervised Release: 5 years

BRIESKE was sentenced in connection with her guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

BRIESKE was an associate of Victor King, a significant distributor of methamphetamine in the Havre area. Between the summer of 2005 until his arrest in September 2006, King distributed methamphetamine through a network of other dealers.

On August 4 and 23, 2006, BRIESKE, acting on behalf of King, distributed methamphetamine to an informant during the course of controlled purchases which took place in Great Falls and Shelby. On each occasion, she distributed one ounce of purported methamphetamine to the informant.

The purported methamphetamine was submitted to the Drug Enforcement Administration for chemical analysis by a qualified chemist. That analysis revealed that, collectively, the two ounces of purported methamphetamine which BRIESKE distributed to the informant contained more than 50 grams of actual (pure) methamphetamine, a Schedule II controlled substance.

King was later arrested. He admitted to the authorities that he provided the methamphetamine which BRIESKE sold to the informant on August 4 and 23, 2006.

BRIESKE was also subsequently interviewed by the authorities. She admitted to law enforcement officers that she had distributed methamphetamine to the informant on King's behalf.

King pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

KYLE BROWN

KYLE BROWN, a 33-year-old resident of Missoula, was sentenced to a term of:

- Prison: 135 months
- Special Assessment: $100
- Supervised Release: 5 years

BROWN was sentenced in connection with his guilty plea to conspiracy to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Testimony would have shown that law enforcement officers began hearing that BROWN might be involved in dealing methamphetamine as early as January of 2006. By November of 2006 they were actively seeking him in his Chevy Blazer with the personalized license plate, WARMACH. When a local deputy pulled BROWN over for a traffic violation, BROWN fled. A search of the Blazer revealed 6 one pound bags of marijuana, as well as small quantities of methamphetamine and cocaine. Later searches of BROWN'S motel room and his person revealed additional methamphetamine and more drug paraphernalia.

Agents began to investigate further, conducting interviews of BROWN'S associates. Ultimately they learned from several people who had participated with BROWN in drug deals, or watched him dealing drugs, that he was receiving multiple pound quantities of methamphetamine from a source in Washington, and redistributing in ounce quantities to a number of lower-level dealers around the Missoula area.

When questioned, BROWN admitted his role in the drug dealing, including acknowledging that he was responsible for more than 500 grams of methamphetamine being distributed.

Assistant U.S. Attorney Josh Van de Wetering prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the Missoula High Intensity Drug Trafficking Area (HIDTA) Task Force.

BRYAN JOSEPH BRUBAKER

BRYAN JOSEPH BRUBAKER, a 44-year-old resident of Missoula, was sentenced to a term of:

- Prison: 10 months
- Community Service: 100 hours
- Special Assessment: $100
- Supervised Release: 3 years

BRUBAKER was sentenced in connection with his guilty plea to distribution of Oxycodone.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In 2004 in Missoula, BRUBAKER met an individual, hereafter referred to as "John Doe", who was addicted to Oxycodone. "John Doe" would have testified that BRUBAKER had a prescription for Oxycodone and that he had purchased Oxycodone from

BRUBAKER sporadically over a period of time between approximately January of 2004 and March 19, 2005.

Evidence would have been presented to show that BRUBAKER did, in fact, have a prescription for Oxycodone during the period of January 2004 to March 19, 2005.

Further evidence would have shown that "John Doe" placed telephone calls to BRUBAKER'S telephone during the period of January 2004 to March 19, 2005.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the Missoula Police Department and the Drug Enforcement Administration in Missoula.

BOYD ROBIN BURNETT

BOYD ROBIN BURNETT, a 65-year-old resident of Belgrade, was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Supervised Release: 5 years

BURNETT was sentenced in connection with his guilty plea to conspiracy to distribute 50 or more grams of actual methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On February 14, 2007, an undercover officer purchased two 1/4-ounce quantities of methamphetamine from Marlin Ray Howes for $650 each. The total weight of the two purchases was 11.1 grams of actual methamphetamine. During the course of the purchases, Howes commented about his source of supply and law enforcement officers monitoring the purchases followed Howes to and from BURNETT'S residence, where it appeared Howes was picking up the meth that he sold to the undercover officer.

On February 15, 2007, law enforcement officers searched BURNETT'S residence. They seized cash, drug paraphernalia, and 635.4 grams of actual methamphetamine. BURNETT was subsequently interviewed and admitted to possessing the methamphetamine for sale.

Howes pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between Drug Enforcement Administration and the Montana Division of Criminal Investigation.

BILLIE JO CADIEUX

BILLIE JO CADIEUX, a 36-year-old resident of Arlee, appeared for sentencing. CADIEUX was sentenced to a term of:

- Prison: 38 months
- Special Assessment: $100
- Supervised Release: 5 years

CADIEUX was sentenced in connection with her guilty plea to possession with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On July 3, 2007, agents of the Northwest Montana Drug Task Force executed a search warrant on the home of CADIEUX and D.T. Inside the home they found a variety of items related to methamphetamine distribution and ingestion, including a pipe and a plate, both of which had methamphetamine residue on them. CADIEUX and D.T. were arrested on state charges and transported to jail.

On July 5, 2007, jail officials discovered in CADIEUX'S jail cell a baggie of methamphetamine with a total weight of 51.9 grams. Two and a half hours later, jailers discovered in CADIEUX'S jail-issued sandals, three torn baggies of methamphetamine with a total weight of 50.6 grams. Then, two hours after that, CADIEUX was transported by jail staff to the local hospital. There doctors removed from her vagina a baggie of methamphetamine with a total weight of 163.4 grams.

All of the seized methamphetamine was sent to the DEA lab in San Francisco. There forensic chemists confirmed the substances were in fact methamphetamine, and reported that the total weight of the methamphetamine, without the packaging, was approximately 85 grams.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Northwest Drug Task Force and the Drug Enforcement Administration.

DAVID TORO CHASE

DAVID TORO CHASE, a 34-year-old resident of Missoula, was sentenced to a term of:

- Prison: 177 months
- Special Assessment: $300
- Restitution: $16,195.71
- Supervised Release: 3 years

CHASE was re-sentenced for a second time after the initial re-sentencing of his original sentence was reversed and remanded back again to U.S. District Court for re-sentencing for conspiracy to manufacture methamphetamine.

Assistant U.S. Attorney Josh Van de Wetering prosecuted this case for the United States.

RYAN CHILD

RYAN CHILD, a 22-year-old resident of Billings, was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $100
- Supervised Release: 4 years

CHILD was sentenced in connection with his guilty plea to possession with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

During July and August of 2006, CHILD possessed with the intent to distribute over 50 grams of a mixture or substance containing a detectable amount of methamphetamine in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Billings Big Sky Safe Streets Task Force.

HECTOR CONTRERAS

HECTOR CONTRERAS was sentenced to a term of:

- Prison: 210 months
- Special Assessment: $800
- Supervised Release: 5 years

CONTRERAS was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute cocaine, methamphetamine, and marijuana; and distribution of cocaine and possession with the intent to distribute methamphetamine

and marijuana.

At the sentencing proceeding, the government stated it would have proved at trial the following:

On February 24, 2005, at a business located in Billings Heights, Baltazar Escobar sold 56.2 grams of cocaine to an undercover detective. The detective paid Escobar $2,400 for the cocaine.

On March 8, 2005, in a parking lot of a downtown business in Billings, Escobar sold 48.1 grams of cocaine to an undercover detective. The detective paid Escobar $2,400 for the cocaine.

On March 23, 2005, in the parking lot of another business in downtown Billings, Escobar sold 49.5 grams of cocaine to an undercover detective. The detective paid Escobar $2,400 for the cocaine. All of the cocaine sold by Escobar to the undercover detective was provided by CONTRERAS.

In April of 2005, agents learned that Escobar was expecting CONTRERAS to bring 135 pounds of marijuana and two pounds of methamphetamine to Billings from California.

On April 23, 2005, agents placed an electronically monitored telephone call to Escobar. Escobar told the undercover detective that Escobar was expecting the arrival of a shipment of drugs from California on April 24, 2005.

This information led to the interdiction of two vehicles traveling in tandem on Interstate 90 near Billings on April 24, 2005. The driver of the second vehicle (registered to Baltazar Escobar) was identified as HECTOR CONTRERAS.

During a search, law enforcement officers seized 442.4 grams of actual methamphetamine and 136.48 pounds of marijuana.

Escobar pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the High Intensity Drug Trafficking Area (HIDTA) Task Force.

CRAIG COOLIDGE

CRAIG COOLIDGE, a 32-year-old resident of Kalispell, was sentenced to a term of:

- Prison: 40 months
- Special Assessment: $100

- Community Service: 250 hours
- Supervised Release: 5 years

COOLIDGE was sentenced in connection with his guilty plea to conspiracy to distribute cocaine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In December of 2007, a confidential informant (CI) advised law enforcement agents that COOLIDGE was dealing cocaine in the Kalispell area. The CI provided the agents with information of COOLIDGE'S operations, including where he went for his supply and how he transported it back to Montana.

The CI informed the agents that COOLIDGE would be acquiring another load of cocaine soon and explained how and when it would happen. The CI even provided the name of the COOLIDGE would use – Phillip Smith – to drive the cocaine from Arizona to Montana, the day Smith was to arrive in Kalispell, and the day COOLIDGE would fly from Kalispell to Tucson to consummate the deal.

The CI also provided the name of the airline COOLIDGE would be using and the name of the hotel where he would be staying, as well as the name of the rental car company in Kalispell where Smith was to rent a car to take to Tucson to pick up the cocaine. After confirming this information, agents received a warrant and affixed a tracking device to the vehicle before Smith picked it up.

Agents were then able to confirm that Smith picked up the vehicle and drove it to Arizona. The vehicle then headed toward Montana, arriving three days later. ICE agents in Arizona also confirmed that COOLIDGE had traveled to Arizona, just as the informant stated that he would. Once the vehicle was back in Montana, agents stopped and searched the vehicle, recovering approximately 2 kilograms of cocaine.

Agents later searched COOLIDGE'S house and recovered another large quantity of cocaine, approximately 840 grams. Over $13,000 in cash, a kilogram of marijuana, a digital scale, baggies, and a large number of firearms was also recovered during the search of his home.

Smith pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Timothy J. Racicot is assigned to the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

RUBEN COTA-BECERRA

RUBEN COTA-BECERRA, age 43, was sentenced to a term of:

- Prison: 12 months
- Special Assessment: $100
- Supervised Release: 3 years

COTA-BECERRA was sentenced in connection with his guilty plea to illegal re-entry of a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On August 24, 2007, COTA-BECERRA was encountered by Yellowstone County Sheriff's deputies during a traffic stop for failing to obey a traffic signal in Billings. COTA-BECERRA was arrested for the traffic violation and transported to the Yellowstone County Detention Facility.

When interviewed, it was determined that COTA-BECERRA illegally in the United States. A fingerprint analysis identified COTA-BECERRA as a citizen of Mexico and revealed that he had been deported from the United States on September 25, 2000, through the Port of Nogales, Arizona.

Further investigation revealed that COTA-BECERRA did not have the consent of the Attorney General or his successor, the Secretary of the Department of Homeland Security, to re-enter the United States after having been deported.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Yellowstone County Sheriff's Office and the U.S. Customs and Border Protection.

TIMOTHY COX

TIMOTHY COX was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Supervised Release: 5 years

COX was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have

proved at trial the following:

COX and Scott Blanton were involved with several other individuals in a conspiracy to possess with the intent to distribute over 500 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

Blanton pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration, the High Intensity Drug Trafficking Area (HIDTA) Task Force, and the Bureau of Immigration and Customs Enforcement.

DERRICK LAMONT DAVIS

DERRICK LAMONT DAVIS, a 23-year-old resident of Los Angeles, California, was sentenced to a term of:

- Prison: 6 months (time served)
- Special Assessment: 100$
- Community Service: 300 hours
- Supervised Release: 6 years

DAVIS was sentenced in connection with his guilty plea to distribution of cocaine to a person under the age of 21.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On June 12, 2006, officers of the Missouri River Drug Task Force (MRDTF) were investigating the illegal distribution of cocaine in Bozeman. Based on a report by a confidential informant, the officers believed DAVIS would sell cocaine to the confidential informant.

The informant, who was over the age of 18, but less than 21 years of age, contacted DAVIS, who agreed to sell approximately one-eighth of an ounce of cocaine to the informant. The officers then fitted the informant with a “body-wire” which would record any conversation to which the informant was a party.

Under the surveillance of the officers, the informant then proceeded to DAVIS’ residence. There, DAVIS distributed purported cocaine to the informant in exchange for $200. The informant left DAVIS’ residence and provided the purported cocaine to the officers.

The purported cocaine was submitted to the Montana State Crime Lab for chemical analysis. A forensic chemist performed a chemical analysis of the purported cocaine and concluded it consisted of approximately 3.4 grams of a substance or mixture containing a detectable amount of cocaine, a Schedule II controlled substance.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the Missouri River Drug Task Force and the Federal Bureau of Investigation.

NATHANIEL DAVIS III

NATHANIEL DAVIS III was sentenced to a term of:

- Prison: 240 months
- Special Assessment: $200
- Supervised Release: 5 years

DAVIS was sentenced in connection with his guilty plea to conspiracy and possession with the intent to distribute methamphetamine and marijuana and distribution of methamphetamine and marijuana.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From 2004 to February of 2007, DAVIS and several other individuals were involved in a conspiracy to possess with the intent to distribute and the distribution of marijuana and methamphetamine in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

ROBERT ARTHUR DEBACKER

ROBERT ARTHUR DEBACKER, a 54-year-old resident of Spokane, Washington, was sentenced to a term of:

- Prison: 30 months
- Special Assessment: $100
- Supervised Release: 5 years

DEBACKER was sentenced in connection with his guilty plea to conspiracy to export cocaine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On February 4, 2006, Terry Holt was stopped on I-90 in western Montana and agreed to allow a Montana Highway Patrol officer to search the vehicle, a GMC Yukon. The officer recovered approximately 30 kilograms of cocaine, as well as large quantities of ketamine and diazapam, in the vehicle. The vehicle was registered to DEBACKER with a Spokane, Washington address. Holt refused to cooperate and was eventually sentenced to over 10 years in prison.

In the meantime, the investigation continued and the government was able to obtain arrests and convictions of higher level members of the organization who did provide statements. Again both Holt and DEBACKER'S names were mentioned.

Other members of the conspiracy explained that Holt had been brought into the organization to move cocaine from the Mexican border through the United States in preparation for delivery to Canada, and to launder money through Las Vegas casinos when traveling the other direction. According to the other members of the conspiracy, Holt enlisted DEBACKER for assistance. In addition to registering the Yukon in his own name (it was purchased by the organization and intended to be outfitted with hidden compartments for smuggling) DEBACKER provided that assistance by allowing approximately 19 kilograms of cocaine to be stored at his residence on one occasion, and by assisting Holt with the money laundering, a process that involved taking the money in sums of less than $10,000 Canadian to various casinos to convert it to U.S. currency. The total amount DEBACKER and Holt laundered on that trip was approximately $190,000 Canadian, for which they received approximately $143,000 in U.S. currency. The value of the cocaine was approximately $12,000 Canadian per kilogram.

Eventually Holt agreed to cooperate rather than face additional charges. He confirmed what the others in the conspiracy had told law enforcement officers, and also provided additional details, including dates, hotels, and names. Using that additional information, agents were able to obtain hotel records from Las Vegas during the time Holt and DEBACKER were there. The records confirmed that DEBACKER had checked into a hotel there and stayed several days, just as Holt had described.

Assistant U.S. Attorney Josh Van de Wetering prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the Montana Highway Patrol.

JOHN PAUL DEWEY and SHARON MARIE OLSON
(DEWEY & OLSON)

JOHN PAUL DEWEY, age 39, and SHARON MARIE OLSON, age 43, residents of Great Falls, were sentenced.

DEWEY was sentenced to a term of:

- Prison: 224 months
- Special Assessment: $100
- Supervised Release: 6 years

OLSON was sentenced to a term of:

- Prison: 30 months
- Special Assessment: $100
- Supervised Release: 3 years

They were sentenced in connection with their guilty pleas to conspiracy to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In early January 2008, a Great Falls Police detective learned from a confidential informant (CI) that DEWEY was distributing methamphetamine in Great Falls. The CI agreed to make controlled purchases of methamphetamine from DEWEY

On January 9, 2008, the CI made a controlled purchase of approximately one gram of methamphetamine from DEWEY. The transaction occurred at a home he shared with his girlfriend, OLSON, who was present in the home during the transaction.

On January 17, 2008, the CI made another such controlled purchase of approximately four grams of methamphetamine from DEWEY at his home. OLSON was present during this transaction as well.

On January 18, 2008, the CI went to DEWEY'S residence and purchased approximately six grams of methamphetamine from DEWEY. After the CI gave the money for the drugs to DEWEY, DEWEY handed the money to OLSON.

During another transaction on January 18, 2008, DEWEY sold approximately three grams of methamphetamine to the CI during a controlled purchase which occurred at DEWEY'S residence. OLSON was also present during the transaction.

On February 1, 2008, the CI contacted DEWEY in an effort to make a controlled purchase of methamphetamine. DEWEY agreed to meet the CI near the Four Seasons Arena in Great Falls. There, DEWEY distributed approximately eight grams of purported methamphetamine to the CI. A field test of the substance later revealed that it did not contain a detectable amount of methamphetamine.

On February 15, 2008, OLSON was interviewed by law enforcement. She admitted that

she had obtained methamphetamine from a source of supply for methamphetamine who provided her with methamphetamine for a period of approximately three months preceding the date of the interview. OLSON stated that she and DEWEY had an agreement whereby she obtained methamphetamine from the source of supply which he then arranged to sell to various customers known to him.

An analysis of the purported methamphetamine purchased from DEWEY and OLSON on January 9 and 18, 2008, concluded that the substances in fact contained methamphetamine, a Schedule II controlled substance. The purported methamphetamine which DEWEY sold to the CI on February 1, 2008 was also analyzed and was found not to contain methamphetamine, but instead contained pseudoephedrine.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was conducted by the Great Falls Police Department.

JESSE DYKSTRA

JESSE DYKSTRA, age 23, was sentenced to a term of:

- Prison: 37 months
- Special Assessment: $100
- Supervised Release: 5 years

DYKSTRA was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute cocaine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Between early 2005 and February of 2007, an individual, hereafter referred to as D.W., distributed in excess of five kilograms of cocaine in Bozeman.

Testimony would have been given that D.W. distributed cocaine to several other drug dealers in the Bozeman area and that those drug dealers, in turn, distributed cocaine to others in Bozeman. One of those dealers who received cocaine from D.W. was DYKSTRA. A co-conspirator would have testified that he personally delivered cocaine to DYKSTRA as part of the cocaine distribution conspiracy.

A confidential informant would have testified that he, another individual, and DYKSTRA obtained an average of at least four ounces of cocaine per week between August of 2005 and June of 2006 from an individual named “D”, later identified as D.W. The confidential informant would have further testified that he, DYKSTRA, and the other individual distributed the cocaine in the Bozeman area.

On April 24, 2007, DYKSTRA was interviewed and admitted that he received an average of two to five ounces of cocaine per week from D.W. during the time period of August of 2005 to December of 2006.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of investigation in Bozeman and the Missouri River Drug Task Force.

JAMES BLODGETT

JAMES BLODGETT, a 24-year-old resident of Port Orchard, Washington, was sentenced to a term of:

- Prison: 245 days (time served) plus an additional 60 months
- Special Assessment: $100
- Supervised Release: 5 years

BLODGETT was sentenced in connection with his guilty plea to possession with the intent to distribute marijuana and possession of a firearm in furtherance of a drug trafficking crime.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Testimony of law enforcement officers would have been provided detailing a search of the motel room BLODGETT was sharing with another individual. During the search of the room, officers discovered a backpack that contained a .45 caliber pistol, approximately an ounce of marijuana, packaging supplies, and a scale.

BLODGETT was arrested and taken to jail. Later, BLODGETT called a friend and described to her that his backpack with his marijuana and handgun had been taken by law enforcement. The phone call was recorded and would have been introduced into evidence.

Assistant U.S. Attorney Josh Van de Wetering prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the Missoula High Intensity Drug Trafficking Area (HIDTA) Task Force.

KELLY JAMES ENGLEHARDT

KELLY JAMES ENGLEHARDT was sentenced to a term of:

- Prison: 15 months
- Special Assessment: $100
- Supervised Release: 2 years

ENGLEHARDT was sentenced in connection with his guilty plea to possession with the intent to distribute marijuana.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Between at least April of 2006 and July 26, 2007, ENGLEHARDT lived in or near Havre. During that time period, he was acquainted with a confidential informant (hereafter "the CI").

The CI was aware that ENGLEHARDT distributed marijuana to various people. In March of 2007, the CI observed ENGLEHARDT and another individual in possession of seven duffle bags of marijuana. In April of 2007, the CI observed ENGLEHARDT in possession of two more duffle bags of marijuana.

On July 26, 2007, the Tri-Agency Safe Trails Drug Task Force executed a search warrant on a residence occupied by ENGLEHARDT. The task force recovered approximately 18 pounds of suspected marijuana and approximately $7,000 in currency.

The Drug Enforcement Administration subsequently analyzed the suspected marijuana and concluded it consisted of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was conducted by the Tri-Agency Safe Trails Drug Task Force.

DANA A. FISCUS

DANA A FISCUS, a 39-year-old resident of Missoula, was sentenced to a term of:

- Home Arrest: 6 months
- Special Assessment: $200
- Community Service: 200 hours
- Supervised Release: 5 years

FISCUS was sentenced in connection with his guilty plea to conspiracy to distribute steroids and money laundering.

In an Offer of Proof filed by the United States, the government stated it would have

proved at trial the following:

In the summer of 2004, law enforcement agents in New Orleans were investigating the illegal sale of steroids through the Internet and noticed that a lot of the activity they were seeing originated with a company calling itself Pacific Rim Labs, operating out of Missoula. The New Orleans agents then notified the Drug Enforcement Administration (DEA) and the Missoula High Intensity Drug Task Force (Missoula HIDTA) of this activity and an investigation ensued.

Missoula HIDTA agents began by placing an order through the Internet with Pacific Rim Labs for two different kinds of steroids. They later followed that order with a letter to Jim Jones at a Missoula address Jones had supplied, again asking for the steroids. The agents included a postal money order in the amount of $97 with the letter. The letter was sent from a DEA cover address in Colorado, and a few days later the agents received by mail, the steroids they had ordered. That package bore a return address listed as Southgate Mall, Missoula. The agents sent the purported steroids to the DEA laboratory in San Francisco for testing. The lab tested the products and confirmed that both were steroids.

Agents next received and applied for a search warrant to search Jones' residence. There they found steroids, mixing agents, laboratory-grade glass mixing equipment, glass vials and tops, funnels, needles and syringes, a capsule mixing machine, large bags filled with empty gel capsules, a capsule-filling press, scales, and nine Nalgene plastic laboratory-grade filtration devices. Agents also seized a variety of documents, including bank records, Western Union receipts, and U.S. Postal Service delivery receipts.

In addition, agents seized the contents of Jones' postal mail box. Included in the box were three envelopes from three different people in different parts of the United States addressed to BSS Supplements which contained cash or postal money orders, totaling $1,370. Also included in the mail box was a box from an individual in Xianju, China, addressed to Big Sky Sports Supplements. In the box were four mylar bags containing powder. Testing determined the powder was steroids.

By this time it was clear from seized documentation that FISCUS was working with Jones. Agents obtained various money transfer and shipping records pertaining to FISCUS and Jones from Western Union and other money transfer businesses, as well as bank records for both. Agents discovered that early in the conspiracy, from June of 2004 through June of 2005, Jones had wire-transferred approximately $18,000 to individuals or organizations in China. The transfers had concerned Western Union sufficiently that they cut off Jones' wire transfer privileges. FISCUS also had tens of thousands of dollars in money wires in his name, to and from various places, including Jones Enterprises. Western Union provided a spread sheet which showed FISCUS had received approximately 171 wire transfers between November of 2004 and May of 2006, totaling approximately $53,000. The records also revealed that FISCUS had

made some wire transfers to individuals in China. FISCUS admitted that the wires to him were payment from retail customers for steroids and the wires to China were to pay the supplier of the bulk product.

The investigating agents sent the records to DEA forensic accountants for analysis. The analysts concluded in reviewing bank accounts which Jones shared with his wife, or were established for his businesses, that every year since 2004, there were tens of thousands of dollars in deposits from unknown individuals or corporations. The deposits were in the form of Western Union wires, Money Grams, or cash deposits. The analysis also investigated E-Gold accounts and found that Jones had paid over $10,000 by that method to a person in China. The analysts noted that because the records were not complete they were not able to compile exact figures, and cautioned further that there may be unknown accounts, or transactions that occurred strictly in cash without ever flowing through a bank account. In total, they found between $150,000 and $200,000 in unexplained deposits to Jones' accounts.

When questioned, FISCUS admitted he had been employed by Jones to help Jones sell steroids through the Internet. He explained that they would receive steroids from China in bulk, and would then process and package it into smaller quantities in Missoula. The smaller quantities would be labeled and sent out to people who had ordered the steroids from Jones through the Internet. The customers paid either by sending cash or by sending Western Union wires or MoneyGrams. The bulk product was also paid for by sending wires to the Chinese suppliers.

Jones pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Josh Van de Wetering prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the Missoula High Intensity Drug Trafficking Area (HIDTA) Task Force.

JUAN GABRIEL FLORES a/k/a ABRAHAM GOYTIA

JUAN GABRIEL FLORES a/k/a *Abraham Goytia*, a 31-year-old resident of Denver, Colorado, was sentenced to a term of:

- Prison: 170 months
- Special Assessment: $100
- Supervised Release: 5 years

FLORES was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute cocaine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

FLORES was involved with several other individuals in a conspiracy to distribute kilo quantities of cocaine. Law enforcement agents working undercover seized two kilograms of purported cocaine being brought to Montana from Colorado.

FLORES and several other individuals were arrested in Billings.

When tested, the purported cocaine was found to contain powdered cocaine, a Schedule II controlled substance.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the High Intensity Drug Trafficking Area (HIDTA) Task Force.

MICHAEL JUSTIN FOOS

MICHAEL JUSTIN FOOS, a 34-year-old resident of Billings, appeared for sentencing. FOOS was sentenced to a term of:

- Prison: 280 months
- Special Assessment: $200
- Supervised Release: 5 years

FOOS was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute methamphetamine and the use or possession of a firearm during a drug-trafficking crime or in furtherance of a drug-trafficking crime.

At the sentencing proceeding, the government stated it would have proved at trial the following:

Testimony would have shown that from approximately 2002 to present, FOOS was involved in a conspiracy with several individuals to possess with the intent to distribute over 500 grams of methamphetamine in the Billings area.

Additional testimony would have been presented that on January 26, 2005, FOOS was in possession of a 45 caliber semi-automatic Taurus handgun in furtherance of a drug trafficking crime.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the High Intensity Drug Trafficking Area (HIDTA) Task Force.

STEPHANIE ANN FOX

STEPHANIE ANN FOX, a 26-year-old resident of Billings, was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $200
- Supervised Release: 5 years

FOX was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute and distribution of methamphetamine and possession of a firearm in furtherance of a drug-trafficking crime.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From an unknown date believed to be in 2003, up to the present, FOX and several other individuals were involved in a conspiracy to possess with the intent to distribute methamphetamine and distribution of methamphetamine.

On January 26, 2005, FOX, was in possession of a 9mm semi-automatic Taurus in furtherance of a drug trafficking crime.

FOX faces possible penalties of a mandatory 10 years in prison and could be sentenced to the maximum of life in prison, a $4,000,000 fine and 5 years supervised release. In addition, FOX faces an additional mandatory five year imprisonment, consecutive to any other sentence, for the use or possession of a firearm during a drug-trafficking crime or in furtherance of a drug-trafficking crime

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the High Intensity Drug Trafficking Area (HIDTA) Task Force.

DANIEL CARL FRAKES

DANIEL CARL FRAKES, age 34, was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Supervised Release: 5 years

FRAKES was sentenced in connection with his guilty plea to conspiracy to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have

proved at trial the following:

In the late spring and summer of 2007, agents of the Northwest Drug Task Force learned from confidential informants that FRAKES was supplying another man, D.T., with large quantities of methamphetamine. The informant said the weights of the methamphetamine were in the range of multiple pounds. The agents began surveilling FRAKES.

In late July, they followed him as he went to D.T.'s house. A short time later, FRAKES left D.T.'s house. Agents followed him, stopped his car and searched it. Inside they found approximately one ounce of methamphetamine in six separately packaged baggies. When confronted with what they knew of his dealings, FRAKES admitted his involvement, including admitting that the total drug amount was more than 500 grams.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Northwest Drug Task Force and the Drug Enforcement Administration.

ANDRE FULLER

ANDRE FULLER, a 22-year-old resident of Bozeman, was sentenced to a term of:

- Prison: 9 months
- Special Assessment: $100
- Supervised Release: 3 years

FULLER was sentenced in connection with his guilty plea to distribution of cocaine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Between approximately June of 2006 and the present date, the Missouri River Drug Task Force investigated the illicit trafficking of cocaine in the Bozeman area. As part of that investigation, the law enforcement authorities investigated FULLER for distributing cocaine between the months of May and August of 2006.

Confidential informants (CIs) were used to make controlled purchases of illegal drugs from certain individuals. On June 21, 2006, a CI participated in a controlled purchase of cocaine from FULLER in Bozeman. The CI would have testified that FULLER distributed approximately one-eighth of an ounce of purported cocaine to the CI.

The purported cocaine was subsequently analyzed by the Montana State Division of Forensic Science where it was determined that the substance did in fact contain a detectable amount of cocaine.

A witness would have testified that she met FULLER and another individual during the summer of 2006 in Bozeman. The witness stated that she purchased approximately three and one-half ounces of cocaine from FULLER and the other individual between June and August of 2006.

The other individual would have testified that she purchased cocaine from FULLER on numerous occasions during June of 2006.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was conducted by the Missouri River Drug Task Force.

MARTIN GARCIA

GARCIA was re-sentenced to a term of:

- Prison: 720 months
- Special Assessment: $1,300
- Supervised Release: 5 years

GARCIA was re-sentenced after having been found guilty during a 5-day trial of conspiracy to possess with intent to distribute methamphetamine, possession with intent to distribute and distribution of methamphetamine and possession of a firearm in furtherance of a drug trafficking crime after his original sentence was appealed to the Ninth Circuit Court of Appeals. The sentence was reversed and remanded back to U.S. District Court for re-sentencing.

Assistant U.S. Attorney James E. Seykora prosecuted this case for the United States.

KENNETH DALE GJERSING

KENNETH DALE GJERSING, a 40-year-old resident of Livingston, was sentenced to a term of:

- Prison: 24 months
- Special Assessment: $100
- Supervised Release: 3 years

GJERSING was sentenced in connection with his guilty plea to making a false statement during a firearms transaction.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On January 15, 2007, GJERSING'S former roommate informed the Park County

Sheriff's Office that his Hi-Point C-9 9mm automatic pistol had been stolen and that a roommate had located the pistol at a local pawn store in Livingston. The Sheriff's Office investigated the complaint and reviewed the paperwork at the pawn store. Officers discovered that GJERSING had pawned the pistol on December 4, 2006, at the pawn shop in Livingston. The firearm trace indicated that the roommate initially purchased the pistol in 2004.

On February 6, 2007, when questioned by law enforcement, GJERSING admitted that he pawned the pistol but claimed he had his roommate's permission.

On December 15, 2006, GJERSING had attempted to redeem the firearm out of pawn. GJERSING falsely indicated on item 11(h) on ATF Form 4473 that he was not subject to a restraining order. He knew if he answered the question affirmatively that the transaction would be stopped.

On August 21, 2006, a permanent order of protection had been issued from the Yellowstone County Justice Court against GJERSING. The order was issued after GJERSING received actual notice and was present at a hearing held on August 21, 2005. The order was issued after GJERSING allegedly assaulted his domestic partner/live-in girlfriend.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Park County Sheriff's Office.

GARY LEE GORDON

GARY LEE GORDON, a 45-year-old resident of Laurel, appeared for sentencing. GORDON was sentenced to a term of:

- Prison: 290 months
- Special Assessment: $100
- Supervised Release: 10 years

GORDON was sentenced in connection with his guilty plea to possession with the intent to distribute methamphetamine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

On November 3, 2006, task force officers executed a search warrant at GORDON'S residence in Laurel and recovered 177.70 grams of methamphetamine (144.30 grams pure) and 510.30 grams of marijuana.

On November 21, 2006, a guest of the Extended Stay Motel in Billings discovered a black bag on a baggage cart in the elevator. The guest took the bag to motel staff, who in turn contacted law enforcement. Found in the bag was 196.10 grams of methamphetamine (183.20 grams pure), 8.20 grams of marijuana, drug paraphernalia, and approximately $8,530 in cash. Motel staff later placed a call to GORDON'S room and advised him they had located his bag. GORDON came down to the desk to claim the bag.

A cooperating witness provided information that GORDON received approximately ½ pound of methamphetamine from his supplier every 3 days. This cooperating witness also collected drug proceeds for GORDON. The cooperating witness stated that GORDON admitted to him/her that he (GORDON) had been in possession of a black bag that contained illegal drugs and cash and that the bag was seized by police. The cooperating witness admitted to previously delivering drugs for GORDON.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Billings Big Sky Safe Streets Task Force.

DONALD M. GREEN

DONALD M. GREEN, a 53-year-old resident of Wolf Point, was sentenced to a term of:

- Prison: 68 months
- Special Assessment: $300
- Supervised Release: 4 years

GREEN was sentenced in connection with his guilty plea to possession with the intent to distribute methamphetamine, possession with the intent to distribute cocaine, and maintaining drug involved premises.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On August 19, 2007, a confidential informant (CI) working with the Big Muddy River Drug Task Force purchased methamphetamine from GREEN. The drug transaction occurred inside GREEN'S home located in Wolf Point. The CI was wearing a hidden microphone at the time and the drug sale was recorded.

During the drug transaction, GREEN agreed to sell a bindle of methamphetamine to the CI for $200. GREEN retrieved methamphetamine from a location within his home and gave it to the CI in exchange for payment. The CI paid the defendant $220. The CI told GREEN the extra $20 was because of the short notice of the purchase. The serial numbers of the buy money had been previously recorded by law enforcement.

The CI told GREEN that he was interested in purchasing more methamphetamine in the future, possibly up to an ounce. GREEN gave the CI his cell phone number and told him to call the following morning. The CI left GREEN'S home and delivered the methamphetamine to drug task force officers.

The following day, the CI called GREEN and they made arrangements to meet at GREEN'S home later that morning for another drug transaction. The CI arrived at GREEN'S home shortly before 10:30 a.m. Inside the house, GREEN, in exchange for $900 cash, gave the CI approximately 8 grams of a substance GREEN identified as containing methamphetamine. The serial numbers of the buy money had been previously recorded by law enforcement. The CI took the methamphetamine and departed GREEN'S home. The CI then delivered the methamphetamine to drug task force officers who were standing by.

Shortly after the purchase, officers conducting surveillance on GREEN'S home saw GREEN leaving the house in a pick-up truck. A deputy from the Roosevelt County Sheriff's Office stopped GREEN and arrested him for drug distribution. Located on GREEN'S person were 17 bindles of methamphetamine packaged for individual sale, cocaine, a digital scale, bindle papers, and U.S. currency bearing serial numbers of the buy money provided to the CI.

Officers obtained a search warrant to search GREEN'S home. Inside the home, officers found methamphetamine, cocaine, drug packaging materials and over $30,000 of U.S. currency. A majority of the drugs were individually packaged in separate bindles. In addition to the drugs, officers also found digital scales, bindle papers, and other paraphernalia indicating distribution. Multiple shotguns, rifles and ammunition were also found in the home during the search.

The suspected controlled substances from the drug buys and the seizures were tested by the U.S. Drug Enforcement Administration Western Laboratory. The substances tested positive for methamphetamine and cocaine.

GREEN was originally charged in state court with multiple narcotics offenses stemming from these transactions. While on bond, GREEN absconded and was later apprehended out-of-state.

Assistant U.S. Attorney Richard A. Hosley prosecuted the case for the United States.

The investigation was a cooperative effort between the Big Muddy River Drug Task Force, the Drug Enforcement Administration, the Wolf Point Police Department and the Roosevelt County Sheriff's Office.

LUKE JAMES GUERRERO

LUKE JAMES GUERRERO, a 24-year-old resident of California, was sentenced to a

term of:

- Prison: 42 months
- Special Assessment: $300
- Supervised Release: 3 years

GUERRERO was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute 3,4-Methylenedioxymethamphetamine (also known as MDMA or Ecstasy), possession with the intent to distribute MDMA, and distribution of MDMA.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Between November of 2006, and ending on or about March 18, 2007, GUERRERO and other individuals became involved in a conspiracy to possess and distribute MDMA.

On February 23, 2007, Great Falls Police Department detectives searched the Great Falls residence of S.M., an unindicted coconspirator. The detectives recovered several thousand dollars, drug paraphernalia, and other items of evidence from the residence.

When S.M. was interviewed by the detectives, he admitted that he had distributed MDMA, marijuana, and psilocybin mushrooms in Great Falls since November 2006. S.M. stated that he received the drugs from GUERRERO, a resident of California, on "front." That is, GUERRERO provided the drugs to S.M. on credit and S.M. repaid GUERRERO once he sold the drugs. S.M. advised the detectives that he was expecting another shipment of drugs from GUERRERO in a few days.

On February 25, 2007, detectives intercepted approximately one pound of suspected marijuana and 500 MDMA pills. A DEA chemist analyzed the drugs and found the purported MDMA was, in fact, MDMA. Collectively, the MDMA pills contained 43.2 grams of pure MDMA.

On March 16, 2007, S.M. contacted GUERRERO. GUERRERO stated that he and an associate were going to drive to Great Falls. The conversation made clear that GUERRERO and his associate intended to pick up money for the drugs which had been sent to S.M..

On March 18, 2007, GUERRERO arranged to meet S.M. at a location in Great Falls. Once at the location, GUERRERO and his associate were detained by members of the Great Falls Police Department.

When questioned, GUERRERO admitted that he had been selling MDMA to S.M. since approximately Christmas of 2006. He stated that he provided marijuana and approximately 2,000 tablets of MDMA to S.M. for distribution. He stated that the drugs

were fronted to him by a source in California and that he owed the source a large sum of money for the drugs.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the Great Falls Police Department and the U.S. Immigration and Customs Enforcement.

HOWARD WAYNE HAMILTON

HOWARD WAYNE HAMILTON, a 56-year-old resident of Lame Deer, was sentenced to a term of:

- Prison: 37 months
- Special Assessment: $100
- Supervised Release: 5 years

HAMILTON was sentenced in connection with his guilty plea to possession with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

HAMILTON was living in an apartment owned and operated by the Northern Cheyenne Housing Authority. The director of housing at Northern Cheyenne contacted law enforcement with information about HAMILTON dealing drugs from his apartment. The director had received anonymous tips about HAMILTON.

Law enforcement officers conducted surveillance of the apartment and then knocked on the door of the apartment and were invited into the apartment by HAMILTON. The officers told HAMILTON that they had received information that he was dealing drugs from the apartment. HAMILTON initially denied the allegation. However, when asked if he had any drugs, HAMILTON admitted that he had marijuana in his cigarette pack. Two marijuana cigarettes were turned over to the police officers. HAMILTON was then arrested.

During a search of HAMILTON after the arrest, the officers discovered a small plastic container containing methamphetamine. The officers seized additional methamphetamine and marijuana when they searched HAMILTON'S apartment after obtaining a search warrant.

HAMILTON was interviewed by law enforcement and provided a recorded statement. He admitted that he was a distributor of methamphetamine and he identified his supplier of methamphetamine.

The methamphetamine that was seized from HAMILTON was sent to the DEA laboratory for analysis. The lab confirmed that 5.4 grams of methamphetamine was seized from HAMILTON.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Bureau of Indian Affairs and the Federal Bureau of Investigation.

TRACY BERNARD HARPER

TRACY BERNARD HARPER, a resident of Billings, was sentenced to a term of:

- Prison: 280 months
- Special Assessment: $100
- Supervised Release: 10 years

HARPER was sentenced in connection with his guilty plea to conspiracy with the intent to distribute over 50 grams of cocaine base (crack cocaine) and distribution of over 50 grams of cocaine base (crack cocaine).

At the sentencing proceeding, the government stated it would have proved at trial the following:

Between 2004 and 2005, HARPER was involved in a conspiracy to obtain powder cocaine which was then converted to crack cocaine. During the period of the conspiracy, HARPER traveled out of state to pick up powder cocaine. HARPER was also involved in receiving and distributing both powder cocaine and crack in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation, the Billings Big Sky Safe Streets Task Force, the Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Drug Enforcement Administration.

SHANTAE HARRIS

SHANTAE HARRIS, a 22-year-old resident of Missouri, was sentenced to a term of:

- Prison: 30 months
- Special Assessment: $100
- Supervised Release: 4 years

HARRIS was sentenced in connection with his guilty plea to conspiracy to possess with

the intent to distribute and distribution of methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From an unknown date in 2004, up to February 23, 2007, HARRIS and several other individuals were involved in a conspiracy to possess with the intent to distribute and distribution of methamphetamine.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Billings Big Sky Safe Streets Task Force.

HEATHER HEDGES

HEATHER HEDGES (FRANKLIN), a 31-year-old resident of Billings, was sentenced to a term of:

- Prison: 30 months
- Special Assessment: $100
- Supervised Release: 4 years

HEDGES was sentenced in connection with her guilty plea to conspiracy to possess with the intent to distribute over 100 kilograms of marijuana.

At the sentencing proceeding, the government stated it would have proved at trial the following:

During 2003 and 2004, HEDGES was involved in a conspiracy with other individuals to possess with the intent to distribute over 100 kilograms (220 pounds) of marijuana in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the High Intensity Drug Trafficking Area (HIDTA) Task Force.

MARK HEGEL

MARK HEGEL, a 50-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 96 months
- Special Assessment: $100
- Supervised Release: 5 years

HEGEL was sentenced in connection with his guilty plea to possession with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In approximately the fall of 2005, the Central Montana Drug Task Force (CMDTF) began to investigate HEGEL for distributing methamphetamine and cocaine in Cascade County. As part of that investigation, agents of the CMDTF spoke to various confidential informants over a period of several years.

One confidential informant stated that between October of 2005 and the end of January of 2006, the informant had purchased one-quarter to three-quarters of an ounce of methamphetamine daily from HEGEL.

Another informant stated that in a thirty day period in the fall of 2007, the informant had purchased one-half ounce of methamphetamine from HEGEL every four days. The informant stated that in the following three months, the informant had purchased one ounce of methamphetamine from HEGEL every four days. The informant further stated that the informant traveled with HEGEL to the state of Washington on three occasions between November 2007 and January 2008. The informant also stated that the informant witnessed HEGEL purchase approximately one pound of methamphetamine on each of the first two trips and one and one-half pounds of methamphetamine on the third trip.

A third informant stated that the informant had purchased one-quarter ounce of methamphetamine from HEGEL on 12 occasions in the fall of 2007.

On February 28, 2008, a confidential informant purchased one ounce of marijuana from HEGEL during a controlled drug purchase monitored by the CMDTF.

On March 14, 2008, another confidential informant purchased one-half ounce of methamphetamine from HEGEL during a controlled drug purchase monitored by the CMDTF. During that transaction, the confidential informant observed HEGEL in possession of three-quarters of an ounce of methamphetamine. HEGEL stated to the informant that he had another two ounces of methamphetamine for sale and intended to purchase one-half of a pound of cocaine in the near future.

On March 20, 2008, the CMDTF searched HEGEL'S residence and vehicle. The CMDTF recovered approximately two grams of methamphetamine and several grams of cocaine. The search also recovered a variety of scales commonly used to weigh marijuana, methamphetamine, and cocaine for street sales.

On March 21, 2008, the CMDTF spoke to a confidential informant. The informant stated the informant had, beginning in 2001, traveled to Spokane, Washington on

HEGEL'S behalf on at least 30 occasions. The informant stated that, on each occasion, the informant obtained at least one-half pound of cocaine which the informant provided to HEGEL. The informant stated that, on at least ten other occasions, the informant met a source of supply in Idaho and obtained at least one-half pound of cocaine on each occasion. The informant stated that cocaine was also provided to HEGEL.

On March 24, 2008, the CMDTF spoke to another confidential informant. The informant stated that between 2000 and 2004, the informant had purchased approximately 1.75 grams of cocaine each week from HEGEL. The informant stated that the informant had last purchased cocaine from HEGEL in November or December of 2006.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

JAMES HIRASE

JAMES HIRASE, a resident of Salt Lake City, Utah, was sentenced to a term of:

- Prison: 144 months
- Special Assessment: $100
- Supervised Release: 8 years

HIRASE was sentenced in connection with his guilty plea to possession with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From approximately June of 2005 until March of 2006, HIRASE, Steve Englert, Cynthia Hughes and Jo Lynn Penrod were involved in a conspiracy to possess with the intent to distribute methamphetamine in Montana. During the period of the conspiracy, Englert, Hughes and other individuals traveled to Salt Lake City to meet with HIRASE and Penrod to obtain methamphetamine for redistribution in Montana.

Englert and Penrod pled guilty to federal charges. Hughes was found guilty after a trial. All three have been sentenced.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the High Intensity Drug Trafficking Area (HIDTA) Task Force.

CHET HOEUNG

CHET HOEUNG, a 35-year-old resident of Tacoma, Washington, was sentenced to a term of:

- Prison: 37 months
- Special Assessment: $100
- Supervised Release: 3 years

HOEUNG was sentenced in connection with his guilty plea to possession with the intent to distribute marijuana.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On July 21, 2007, HOEUNG was a passenger in a vehicle that was stopped for speeding near Bozeman. HOEUNG was identified during the course of the traffic stop and eventually arrested for an alleged probation violation in California. The driver of the vehicle consented to a search of the car and officers discovered approximately 10 pounds of marijuana in the trunk.

When questioned, HOEUNG admitted ownership of the marijuana and stated that he had planned to deliver the drugs to an individual in Minnesota.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement, the Montana Highway Patrol, and the Missouri River Drug Task Force.

DARRELL HOLLIDAY

DARRELL HOLLIDAY, a 36-year-old resident of Billings, was sentenced to a term of:

- Prison: 46 months, concurrent with another sentence
- Special Assessment: $200
- Supervised Release: 6 years

HOLLIDAY was sentenced in connection with his guilty plea to distribution of methamphetamine and use of telephone communications in furtherance of a drug-trafficking crime.

At the sentencing proceeding, the government stated it would have proved at trial the following:

On March 16, 2006, the Billings Big Sky Safe Streets Task Force in Billings conducted

a controlled buy of approximately a one-half ounce of crystal methamphetamine (13.3 grams of 24% methamphetamine, or 3.1grams of actual methamphetamine) from HOLLIDAY. During the transaction, HOLLIDAY was recorded on the body wire stating that at that time he had one-half ounce of good methamphetamine and also had a one-half ounce of bad methamphetamine.

The controlled buy had been set up by HOLLIDAY discussing the sale of methamphetamine with the government's informant on a telephone just previous to the buy.

On August 15, 2006, HOLLIDAY was interviewed and admitted to selling one-half ounce of crystal methamphetamine to a government informant on March 16, 2006, which HOLLIDAY had received from Patricia Curfman.

Curfman pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Billings Big Sky Safe Streets Task Force.

BARRY K. HOLT

BARRY K. HOLT, a 52-year-old resident of Red Lodge, was sentenced to a term of:

- Prison: 16 months
- Special Assessment: $100
- Supervised Release: 3 years

HOLT was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On November 12, 2006, Red Lodge Police officers executed a search warrant at the residence of "Jack White" as part of their investigation into allegations that HOLT had sexually assaulted a twelve-year-old girl. During the execution of the warrant, officers located a .22 caliber firearm and a large quantity of .22 caliber ammunition. However, because these items were not listed on the warrant, they were not seized.

During follow-up investigation, the officers learned "White" was actually HOLT and that he was a convicted felon. Records revealed that HOLT had been convicted of felony abduction in the State of Virginia in 1987.

A new federal search warrant for the residence was obtained and the agents seized the

firearm and about 5,473 rounds of ammunition. The firearm was identified as a Ruger Mark II Target .22 caliber semi-auto pistol.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Red Lodge Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

MARTIN JAY HOPE

MARTIN JAY HOPE, a 47-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 312 months, concurrent with a state sentence
- Special Assessment: $100
- Supervised Release: 5 years

HOPE was sentenced after having been found guilty during a 2-day trial of being an armed career criminal/felon-in-possession of a firearm.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Great Falls Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

PATRICIA SUE HOPKINS

PATRICIA SUE HOPKINS, a 47-year-old resident of Billings, was sentenced to a term of:

- Prison: 46 months
- Treatment: 500 hours drug treatment in prison
- Restitution: $5,185.05 (for meth lab clean up)
- Supervised Release: 4 years

HOPKINS was sentenced in connection with her guilty plea to conspiracy to manufacture methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 14, 2004, an investigation of HOPKINS and Carey Jackson began regarding the purchasing of pseudoephedrine and other products commonly used in the manufacturing of methamphetamine.

During the investigation, security tapes from both Wal-Marts in Billings were viewed

regarding the purchases. Jackson and HOPKINS were identified as two of the individuals making purchases.

Between March of 2004 and September of 2004, several purchases of pseudoephedrine and other products commonly used in the manufacturing of methamphetamine were made by Jackson, HOPKINS, and other yet to be identified individuals from both Wal-Marts.

On September 08, 2004, a search warrant was served at a residence in Billings Heights. During the search, a red phosphorus methamphetamine laboratory was found and dismantled. Chemicals in different stages of production were also discovered during the search of the house and a shed. Numerous controlled substances and listed chemicals were recovered from the property.

Jackson and HOPKINS were interviewed at the residence and again on a later date. Both HOPKINS and Jackson admitted to producing methamphetamine over the previous year. Jackson admitted to making approximately 9 grams of methamphetamine a week for the last year. HOPKINS admitted to cooking methamphetamine about seven times in the previous year and assisting Jackson on numerous methamphetamine cooks for the previous year.

Jackson pled guilty to federal charges and has been sentenced.

Special Assistant U.S. Attorney Sheila R. Kolar prosecuted the case for the United States.

The investigation was conducted by the Drug Enforcement Administration.

MARLIN RAY HOWES

MARLIN RAY HOWES, a 49-year-old resident of Bozeman, was sentenced to a term of:

- Prison: 240 months
- Special Assessment: $100
- Supervised Release: 10 years

Burnett was sentenced in connection with his guilty plea to conspiracy to distribute 50 or more grams of actual methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On February 14, 2007, an undercover officer purchased two 1/4-ounce quantities of methamphetamine from HOWES for $650 each. The total weight of the two purchases

was 11.1 grams of actual methamphetamine. During the course of the purchases, HOWES commented about his source of supply and law enforcement officers monitoring the purchases followed HOWES to and from Burnett's residence, where it appeared HOWES was picking up the meth that he sold to the undercover officer.

On February 15, 2007, law enforcement officers searched Burnett's residence. They seized cash, drug paraphernalia, and 635.4 grams of actual methamphetamine. Burnett was subsequently interviewed and admitted to possessing the methamphetamine for sale.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between Drug Enforcement Administration and the Montana Division of Criminal Investigation.

CYNTHIA HUGHES

CYNTHIA HUGHES, a 54-year-old resident of Billings, was sentenced to a term of:

- Prison: 121 months
- Special Assessment: $200
- Supervised Release: 5 years

HUGHES was sentenced after having been found guilty during a 3-day trial of conspiracy and one count of possession with the intent to distribute methamphetamine.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Drug Enforcement Administration.

MICHAEL HUGHES

MICHAEL HUGHES, a 21-year-old resident of Billings, was sentenced to a term of:

- Prison: 83 months
- Special Assessment: $100
- Supervised Release: 5 years

HUGHES was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

At the sentencing hearing, the government stated it would have proved at trial the following:

From early 2005, up to and including an unknown date in 2006, HUGHES was involved

in a conspiracy with other individuals to possess with the intent to distribute over 500 grams of methamphetamine in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a conducted by the Billings Big Sky Safe Streets Task Force.

COREY SCOTT HUNGERFORD

COREY SCOTT HUNGERFORD, a 31-year-old resident of Bozeman, was sentenced to a term of:

- Prison: 70 months
- Special Assessment: $200
- Supervised Release: 5 years

HUNGERFORD was sentenced in connection with his guilty plea to conspiracy to distribute methamphetamine and possession of a machinegun.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Between April of 2006, and continuing through July of 2007, HUNGERFORD, Marvin Mullen and Marlena Harringer were involved in a conspiracy with several other individuals to distribute over 500 grams of methamphetamine in Meagher, Mineral, Lewis and Clark, and Gallatin counties. HUNGERFORD was in possession of a machinegun while involved in the conspiracy.

Mullen and Harringer pled guilty to federal charges and have been sentenced.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Bozeman and Helena Missouri River Drug Task Force, the Drug Enforcement Administration, the Federal Bureau of Investigation, the Meagher County Sheriff's Office, the Mineral County Sheriff's Office, the Montana Highway Patrol, and the Siskiyou County Sheriff's Office in California.

MARCO IBARRA-CAMACHO and RODOLFO IBARRA-CAMACHO

MARCO IBARRA-CAMACHO, age 25, and RODOLFO IBARRA-CAMACHO, age 24, citizens of Mexico, were each sentenced to a term of:

- Prison: 120 months
- Special Assessment: $200
- Supervised Release: 5 years

They were sentenced in connection with their guilty pleas to conspiracy to possess with the intent to distribute and possession with the intent to distribute over 500 grams of methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On December 27, 2007, a Montana Highway Patrol officer conducted a traffic stop for a license plate equipment violation of a 2001 Ford Focus on Interstate 94 near Glendive. The driver of the vehicle was identified as MARCO IBARRA-CAMACHO and his passenger was identified as his brother, RODOLFO IBARRA-CAMACHO.

Both individuals were detained on immigration violation charges. Later, in a review of the MHP officer's dashboard video recording as RODOLFO IBARRA-CAMACHO was placed in handcuffs and led back to the highway patrol car, he hit or tapped the 2001 Ford Focus on the right rear quarter panel where it was later discovered methamphetamine was secreted.

The vehicle was transported to the Glendive Highway Patrol District Office where a K-9 sniff search of the vehicle was conducted. The K-9 showed an interest in the rear of the vehicle. Subsequently, law enforcement officers located two concealed compartments in the rear seat area of the vehicle. The compartments were operated by starting the Ford Focus and then turning on the dome light and pressing two tiny red buttons that were concealed under the hood release latch. Each button controlled one of the electrical compartments. One of the compartments in the rear passenger side contained thirteen red or green softball size bundles, all similar in size. The other compartment had no packages. One bundle field tested positive for methamphetamine and the remainder were sent to the DEA lab for testing.

The DEA lab reports found that the thirteen bundles contained 5,795 grams of 98.7% d-methamphetamine or 5,719 grams or 5.719 kilograms of actual methamphetamine.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Montana Highway Patrol, the Drug Enforcement Administration, the Montana Department of Criminal Investigation, and the Dawson County Sheriff's Office.

CAREY RAY JACKSON

CAREY RAY JACKSON, a 46-year-old resident of Billings, was sentenced to a term of:

- Prison: 120 months
- Treatment: 500 hours drug treatment in prison
- Restitution: $5,185.05 (for meth lab clean-up)

- Supervised Release: 8 years

JACKSON was sentenced in connection with his guilty plea to conspiracy to manufacture methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 14, 2004, an investigation of JACKSON and Patricia Sue Hopkins began regarding the purchasing of pseudoephedrine and other products commonly used in the manufacturing of methamphetamine.

During the investigation, security tapes from both Wal-Marts in Billings were viewed regarding the purchases. JACKSON and Hopkins were identified as two of the individuals making purchases.

Between March of 2004 and September of 2004, several purchases of pseudoephedrine and other products commonly used in the manufacturing of methamphetamine were made by JACKSON, Hopkins, and other yet to be identified individuals from both Wal-Marts.

On September 08, 2004, a search warrant was served at a residence in Billings Heights. During the search, a red phosphorus methamphetamine laboratory was found and dismantled. Chemicals in different stages of production were also discovered during the search of the house and a shed. Numerous controlled substances and listed chemicals were recovered from the property.

JACKSON and Hopkins were interviewed at the residence and again on a later date. Both JACKSON and Hopkins admitted to producing methamphetamine over the previous year. JACKSON admitted to making approximately 9 grams of methamphetamine a week for the last year. Hopkins admitted to cooking methamphetamine about seven times in the previous year and assisting JACKSON on numerous methamphetamine cooks for the previous year.

Hopkins pled guilty to federal charges and has been sentenced.

Special Assistant U.S. Attorney Sheila R. Kolar prosecuted the case for the United States.

The investigation was conducted by the Drug Enforcement Administration.

CURTIS JONES

CURTIS JONES, a 38-year-old resident of Billings, was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $100
- Supervised Release: 3 years

JONES was sentenced in connection with his guilty plea to possession of a firearm in furtherance of a drug-trafficking crime.

At the sentencing proceeding, the government stated it would have proved at trial the following:

From late 2004 until approximately January or February of 2005, JONES was in possession of a firearm, a black semi-automatic handgun, while involved in a conspiracy with other individuals to possess with the intent to distribute methamphetamine.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Billings Big Sky Safe Streets Task Force.

JIMMY RAY JONES

JIMMY RAY JONES, a 60-year-old resident of Missoula, was sentenced to a term of:

- Home Confinement: 9 months
- Special Assessment: $200
- Probation: 5 years

JONES was sentenced in connection with his guilty plea to money laundering and importation of steroids.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In the summer of 2004, law enforcement agents in New Orleans were investigating the illegal sale of steroids through the Internet and noticed that a lot of the activity they were seeing originated with a company calling itself Pacific Rim Labs, operating out of Missoula. The New Orleans agents then notified the Drug Enforcement Administration (DEA) and the Missoula High Intensity Drug Task Force (Missoula HIDTA) of this activity and an investigation ensued.

Missoula HIDTA agents began by placing an order through the Internet with Pacific Rim Labs for two different kinds of steroids. They later followed that order with a letter to JIM JONES at a Missoula address JONES had supplied, again asking for the steroids. The agents included a postal money order in the amount of $97 with the letter. The letter was sent from a DEA cover address in Colorado, and a few days later the agents

received by mail, the steroids they had ordered. That package bore a return address listed as Southgate Mall, Missoula. The agents sent the purported steroids to the DEA laboratory in San Francisco for testing. The lab tested the products and confirmed that both were steroids.

Agents next received and applied for a search warrant to search JONES' residence. There they found steroids, mixing agents, laboratory-grade glass mixing equipment, glass vials and tops, funnels, needles and syringes, a capsule mixing machine, large bags filled with empty gel capsules, a capsule-filling press, scales, and nine Nalgene plastic laboratory-grade filtration devices. Agents also seized a variety of documents, including bank records, Western Union receipts, and U.S. Postal Service delivery receipts.

In addition, agents seized the contents of JONES' postal mail box. Included in the box were three envelopes from three different people in different parts of the United States addressed to BSS Supplements which contained cash or postal money orders, totaling $1,370. Also included in the mail box was a box from an individual in Xianju, China, addressed to Big Sky Sports Supplements. In the box were four mylar bags containing powder. Testing determined the powder was steroids.

By this time it was clear from seized documentation that Dana Fiscus was working with JONES. Agents obtained various money transfer and shipping records pertaining to Fiscus and JONES from Western Union and other money transfer businesses, as well as bank records for both. Agents discovered that early in the conspiracy, from June of 2004 through June of 2005, JONES had wire-transferred approximately $18,000 to individuals or organizations in China. The transfers had concerned Western Union sufficiently that they cut off JONES' wire transfer privileges. Fiscus also had tens of thousands of dollars in money wires in his name, to and from various places, including JONES Enterprises. Western Union provided a spread sheet which showed Fiscus had received approximately 171 wire transfers between November of 2004 and May of 2006, totaling approximately $53,000. The records also revealed that Fiscus had made some wire transfers to individuals in China. Fiscus admitted that the wires to him were payment from retail customers for steroids and the wires to China were to pay the supplier of the bulk product.

The investigating agents sent the records to DEA forensic accountants for analysis. The analysts concluded in reviewing bank accounts which JONES shared with his wife, or were established for his businesses, that every year since 2004, there were tens of thousands of dollars in deposits from unknown individuals or corporations. The deposits were in the form of Western Union wires, Money Grams, or cash deposits. The analysis also investigated E-Gold accounts and found that JONES had paid over $10,000 by that method to a person in China. The analysts noted that because the records were not complete they were not able to compile exact figures, and cautioned further that there may be unknown accounts, or transactions that occurred strictly in cash without ever flowing through a bank account. In total, they found between

$150,000 and $200,000 in unexplained deposits to JONES' accounts.

When questioned, Fiscus admitted he had been employed by JONES to help JONES sell steroids through the Internet. He explained that they would receive steroids from China in bulk, and would then process and package it into smaller quantities in Missoula. The smaller quantities would be labeled and sent out to people who had ordered the steroids from JONES through the Internet. The customers paid either by sending cash or by sending Western Union wires or MoneyGrams. The bulk product was also paid for by sending wires to the Chinese suppliers.

Fiscus pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Josh Van de Wetering prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the Missoula High Intensity Drug Trafficking Area (HIDTA) Task Force.

SANDRA KERR

SANDRA KERR, a 41-year-old resident of Billings, was sentenced to a term of:

- Prison: 90 months
- Special Assessment: $100
- Supervised Release: 5 years

KERR was sentenced in connection with her guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

From approximately August of 2006, up to and including January of 2007, KERR, Gary Gordon and other individuals were involved in a conspiracy to distribute methamphetamine in the Billings area.

On January 17, 2007, KERR was interviewed by law enforcement and admitted assisting Gary Gordon in counting out his drug money and packaging and "cutting" his methamphetamine.

On March 23, 2007, KERR was again interviewed and admitted she began assisting Gordon with his drug activities in August of 2006 up to January 2007. She also admitted to distributing methamphetamine to four separate individuals on eight separate occasions for Gordon during that time period. KERR further admitted that for

three months Gordon received approximately a half-pound of methamphetamine from his supplier every three days. During this time period, KERR admitted to assisting Gordon with distributing and packaging methamphetamine, as well as counting and collecting drug money for Gordon. During the period of the conspiracy, law enforcement seized the following methamphetamine:

- November 3, 2006 - 177.5 grams or 144.3 grams of actual methamphetamine;
- November 21, 20076 - 196.1 grams or 183.2 grams of actual methamphetamine; and
- January 15, 2007 - 206.8 grams or 168.8 grams of actual methamphetamine.

Gordon pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Billings Big Sky Safe Streets Task Force.

MICHAEL McCAUL LAWRENCE

MICHAEL McCAUL LAWRENCE, a 19-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 51 months
- Special Assessment: $500
- Supervised Release: 3 years

LAWRENCE was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On October 30, 2006, an individual, hereafter referred to as “John Doe”, was arrested at a hotel located in Great Falls. “John Doe” was found in possession of approximately one ounce of methamphetamine and one pound of marijuana;

LAWRENCE and another individual, hereafter referred to as “Bob Doe”, also rented rooms at the motel at the time of “John Doe’s” arrest. Law enforcement officers later learned that “Bob Doe” was the supplier of drugs to both “John Doe” and LAWRENCE.

On November 15, 2006, Great Falls Police detectives interviewed LAWRENCE. LAWRENCE admitted he had distributed methamphetamine, cocaine and small amounts of the drug MDMA (Ecstasy) over a period of time which stretched from at

least July 27, 2006, to October 2006.

In February of 2007, officers interviewed two associates of LAWRENCE. They stated they were aware LAWRENCE had possessed and distributed methamphetamine and MDMA during the summer of 2006.

On August 28, 2007, LAWRENCE was interviewed by law enforcement officers following his arrest. LAWRENCE admitted that "Bob Doe" fronted him the methamphetamine, cocaine, and MDMA which he distributed during the course of the conspiracy.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the Great Falls Police Department and the Federal Bureau of Investigation.

JESUS LUGO-BROWN

JESUS LUGO-BROWN, a resident of Mexico, was sentenced to a term of:

- Prison: 30 months
- Special Assessment: $100
- Supervised Release: 4 years

LUGO-BROWN was sentenced in connection with his guilty plea to possession with the intent to distribute cocaine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

On November 17, 2006, in Billings, LUGO-BROWN and other individuals possessed with the intent to distribute, over 500 grams of cocaine, a Schedule II controlled substance.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the High Intensity Drug Trafficking Area (HIDTA) Task Force.

TIRRELL LEWIS

TIRRELL LEWIS, a resident of Billings, was sentenced to a term of:

- Prison: 96 months
- Special Assessment: $200

- Supervised Release: 3 years

LEWIS was sentenced after having been found guilty during a 1½-day trial of being a felon-in-possession of a firearm and ammunition.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Billings Big Sky Safe Streets Task Force.

TAMALEE LINDBOM

TAMALEE LINDBOM, a 44-year-old resident of Bozeman, was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Supervised Release: 5 years

LINDBOM was sentenced in connection with her guilty plea to conspiracy to possess with the intent to distribute and distribution of over 500 gram of methamphetamine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

From late 2004 through June of 2005, LINDBOM, Marvin "Buster" Quesenberry, Crystal Busby, and others were involved in a conspiracy to distribute of over 500 grams (over 9 pounds) of methamphetamine in Central Montana.

Quesenberry and Busby pled guilty to federal charges and have been sentenced.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Drug Enforcement Administration.

SHAWN WAYNE MALATARE

SHAWN WAYNE MALATARE was sentenced to a term of:

- Prison: 40 months
- Special Assessment: $100
- Supervised Release: 5 years

MALATARE was sentenced in connection with his guilty plea to conspiracy to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

MALATARE and several other individuals were involved in a conspiracy to distribute methamphetamine.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Northwest Drug Task Force and the Drug Enforcement Administration.

RUBEN MARTINEZ and JOSE MORALES-PENA
(MARTINEZ & MORALES-PENA)

RUBEN MARTINEZ and JOSE MORALES-PENA, residents of Butte, were sentenced.

MARTINEZ was sentenced to the following term after having been found guilty of conspiracy to distribute methamphetamine, possession of a firearm during a drug-trafficking crime, and harboring an illegal alien:

- Prison: 188 months
- Special Assessment: $200
- Supervised Release: 5 years

MORALES-PENA was sentenced to the following term after having been found guilty of conspiracy to distribute methamphetamine:

- Prison: 188 months
- Special Assessment: $100
- Supervised Release: 5 years

They were sentenced after having been found guilty during a 1½ -day federal district court trial.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between the Southwest Montana Drug Task Force and the U.S. Immigration and Customs Enforcement.

VINCENT MARTINEZ

VINCENT MARTINEZ, age 47, was re-sentenced to a term of:

- Prison: 300 months
- Special Assessment: $100

- Supervised Release: 5 years

MARTINEZ was re-sentenced after his original sentence for conspiracy to possess with the intent to distribute methamphetamine and the use or possession of a firearm during a drug-trafficking crime or in furtherance of a drug-trafficking crime was appealed to the Ninth Circuit Court of Appeals. The sentence was reversed and remanded back to U.S. District Court for re-sentencing.

Assistant U.S. Attorney Paulette L. Stewart prosecuted this case for the United States.

EVAN MAUCH

EVAN MAUCH, a 48-year-old resident of Billings, was sentenced to a term of:

- Prison: 70 months
- Special Assessment: $100
- Supervised Release: 5 years

MAUCH was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute and distribution of methamphetamine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

From an unknown date in 2003, to April 4, 2006, MAUCH was involved in a conspiracy with several other individuals to distribute over 500 grams of a mixture or substance containing a detectable amount of methamphetamine, or 50 grams of actual methamphetamine, in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration, the Montana Department of Criminal Investigation, the High Intensity Drug Trafficking Area (HIDTA) Task Force, and the Billings Big Sky Safe Streets Task Force.

DONALD McKENRICK

DONALD McKENRICK, a 31-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 192 months
- Special Assessment: $100
- Supervised Release: 10 years

McKENRICK was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In February of 2006, the Great Falls Police Department and the U.S. Immigration and Customs Enforcement (ICE) began to investigate the distribution of methamphetamine in Great Falls by a drug trafficking organization. At the head of the group was J.C. (an indicted coconspirator who was arrested in another district, released, and is now a fugitive). The authorities learned that between 2005 and the end of May, 2006, J.C. imported multiple pounds of methamphetamine from California to Great Falls.

J.C. distributed the methamphetamine through a number of lower level drug traffickers in Great Falls, one of whom was A.B. A.B. was an associate of James Osborne and his girlfriend, Elaine Beston. Another was Tiffany King. King and A.B., in turn, distributed methamphetamine to McKENRICK, who distributed it to others in Great Falls. King or A.B. provided the methamphetamine to McKENRICK during the period of late 2005 until the spring of 2006.

Around the last quarter of 2005, A.B. began to provide methamphetamine to Osborne and Beston. They, in turn, distributed the methamphetamine to others. Osborne and Beston continued to receive methamphetamine from A.B. and distribute it until late March of 2006, when Beston was arrested on another matter.

In November of 2007, members of ICE and the Great Falls Police Department interviewed Beston. She admitted that she and Osborne distributed methamphetamine which they had received from A.B. She stated that A.B. initially provided her with 3.5 grams of the drugs every couple of days. Osborne stated that from Christmas of 2005 to her arrest in late March of 2006, A.B. provided her with an ounce of methamphetamine every other day. She and Osborne, in turn, distributed that methamphetamine to others.

On December 3, 2007, the authorities interviewed McKENRICK. He stated that he obtained methamphetamine from A.B. or King over a six month to one year time period in 2005 and 2006. He stated that, on average, he would obtain at least one ounce of methamphetamine every week from A.B. or King during a six month period of time. McKENRICK admitted that he, in turn, distributed that methamphetamine to others.

King, Osborne and Beston pled guilty to federal charges. Osborne and Beston have been sentenced and King has been sentenced.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the Great Falls Police Department

and the U.S. Immigration and Customs Enforcement.

TREVOR McLEOD

TREVOR McLEOD, a 34-year-old resident of Missoula, formerly of Bozeman, was sentenced to a term of:

- Prison: 84 months
- Special Assessment: $100
- Supervised Release: 5 years

McLEOD was sentenced in connection with his guilty plea to conspiracy to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In January of 2005, agents from the Missouri River Drug Task Force (MRDTF) and the U.S. Immigration and Customs Enforcement (ICE) began investigating a significant methamphetamine distribution conspiracy in Bozeman. They learned that Antonio Rodriguez-Soriano was bringing large quantities of meth to Montana from Washington. They also learned that Rodriguez was often accompanied by his girlfriend, Stacy Winzenburg, and that some of the methamphetamine was purchased by McLEOD.

After learning of McLEOD'S involvement, law enforcement interviewed him on two occasions. The first interview took place on February 26, 2005. He described his efforts to buy methamphetamine from "Stacy," and admitted to selling approximately two ounces of meth in the preceding two weeks. He knew that Stacy was traveling to Washington with her boyfriend, Antonio Rodriguez-Soriano, to pick up methamphetamine and knew that Rodriguez had been arrested in January near Deer Lodge in possession of a quantity of drugs.

McLEOD was interviewed again on March 3, 2005, and stated that he knew that after Rodriguez was arrested, Winzenburg had taken over for Rodriguez and continued to distribute methamphetamine in the Bozeman area. McLEOD acknowledged buying meth from Winzenburg beginning in January of 2005 and estimated that he purchased approximately 12 ounces from January until the March 3 interview. McLEOD stated he knew that Winzenburg was dealing with Mexican distributors in Washington and that she usually picked up two pounds of meth on each trip. McLEOD reported that he distributed most of the methamphetamine that he obtained from Winzenburg, including giving some to his girlfriend, L.S. During the entirety of his involvement in the conspiracy, McLEOD was on probation with the State of Montana.

On March 8, 2005, Corrine Finnegan was interviewed concerning her involvement in the conspiracy. She discussed a trip that she took to Tacoma, Washington, with McLEOD

and others near the end of February of 2005 to pick up methamphetamine. Finnegan stated they purchased 13 ounces of meth for $9,000, and that the money used to pay for the drugs was provided by McLEOD. She also said that McLEOD took sole possession of the 13 ounces of meth and that she bought some of that meth from him when they returned to Bozeman.

Rodriguez-Soriano, Winzenburg and Finnegan pled guilty to federal charges and have been sentenced.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between the Missouri River Drug Task Force and the U.S. Immigration and Customs Enforcement.

RURY MEZA

RURY MEZA, a 21-year-old resident of California, was sentenced to a term of:

- Prison: 37 months
- Special Assessment: $100
- Supervised Release: 4 years

MEZA was sentenced in connection with his guilty plea to conspiracy to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

A Montana Highway Patrol officer stopped a vehicle MEZA was a passenger in for speeding. The driver's confusing answers to routine questions aroused the suspicion of the officer. The officer then questioned the driver and MEZA separately and their stories were starkly different.

During a search of the driver and his personal belongings, the officer found methamphetamine and material used to package the methamphetamine, including plastic baggies and gray duct tape, in a bag belonging to the driver. The driver was then arrested and the vehicle impounded.

The officer then offered MEZA a ride to town. MEZA accepted and grabbed his bag. The officer advised MEZA he would have to search the bag before he could allow it in his patrol car and MEZA agreed to the search. Inside MEZA'S bag, the officer found baggies and duct tape similar to those found in the driver's bag, and also found over an ounce of what appeared to be methamphetamine. MEZA was then arrested.

Later officers learned from an informant who had been in jail with MEZA, that while in

jail, MEZA had bragged that the officers had missed a large quantity of methamphetamine when they searched the car. Armed with a new search warrant, officers searched the car again. As MEZA had described, the officers found approximately 10 more ounces of methamphetamine in the car.

Assistant U.S. Attorney Josh Van de Wetering prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the Montana Highway Patrol.

SHARON MORENO

SHARON MORENO, a 26-year-old resident of California, was sentenced on the charge of possession of methamphetamine.

MORENO was sentenced to a term of:

- Prison: 158 days (time served)
- Special Assessment: $25
- Supervised Release: 120 days

At the sentencing hearing, the government stated it would have proved at trial the following:

April 24, 2005, in Billings, MORENO did knowingly and unlawfully possess methamphetamine, a Schedule II controlled substance.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration, the U.S. Immigration and Customs Enforcement and the High Intensity Drug Trafficking Area (HIDTA) Task Force.

BRANDON MOSIER

BRANDON MOSIER, a 27-year-old resident of Billings, was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Supervised Release: 5 years

MOSIER was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

MOSIER was involved in a conspiracy with other individuals to possess with the intent to distribute over 500 grams of methamphetamine in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the High Intensity Drug Trafficking Area (HIDTA) Task Force.

JASON MOSIER

JASON MOSIER, a 29-year-old resident of Billings, was sentenced to a term of:

- Prison: 87 months
- Special Assessment: $100
- Supervised Release: 5 years

MOSIER was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute and distribution of methamphetamine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

From May of 2005 to May of 2006, MOSIER was involved in a conspiracy with other individuals to possess with the intent to distribute and distribution of over 500 grams of methamphetamine in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration, the U.S. Immigration and Customs Enforcement, and the High Intensity Drug Trafficking Area (HIDTA) Task Force.

MARVIN DUANE MULLEN and MARLENA HARRIGER
(MULLEN & HARRIGER)

MARVIN DUANE MULLEN, a 58-year-old resident of Shelton, Washington, and MARLENA HARRIGER, a 45-year-old resident of Shelton/Tacoma, Washington, were sentenced.

MULLEN was sentenced to a term of:

- Prison: 88 months

- Special Assessment: $100
- Supervised Release: 5 years

HARRIGER was sentenced to a term of:

- Prison: 63 months
- Special Assessment: $100
- Supervised Release: 5 years

They were sentenced in connection with their guilty pleas to conspiracy to distribute over 500 grams of methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Between April of 2006, and continuing through July of 2007, MULLEN and HARRIGER were involved in a conspiracy with several other individuals to distribute over 500 grams of methamphetamine in Meagher, Mineral, Lewis and Clark, and Gallatin counties.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Bozeman and Helena Missouri River Drug Task Force, the Drug Enforcement Administration, the Federal Bureau of Investigation, the Meagher County Sheriff's Office, the Mineral County Sheriff's Office, the Montana Highway Patrol, and the Siskiyou County Sheriff's Office in California.

ASHLEY NELSON and SETH AMOS NELSON

ASHLEY NELSON, age 21, and SETH AMOS NELSON, age 29, residents of Great Falls, appeared for sentencing.

ASHLEY NELSON was sentenced to a term of:

- Prison: 63 months
- Special Assessment: $100
- Restitution: $2,703.60
- Supervised Release: 3 years

SETH NELSON was sentenced to a term of:

- Prison: 188 months
- Special Assessment: $200
- Restitution: $2,703.60
- Supervised Release: 6 years

ASHLEY NELSON was sentenced in connection with her guilty plea to manufacturing methamphetamine.

SETH AMOS NELSON was sentenced in connection with his guilty plea to conspiracy to manufacture methamphetamine and being a felon-in-possession of firearms.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In 2002, SETH NELSON was convicted and sentenced for possession of a sawed-off shotgun in the United States District Court, and therefore, was prohibited from possessing a firearm. He is also currently on probation or parole for state felony offenses.

In August of 2007, SETH NELSON, ASHLEY NELSON, and their young children were living in Great Falls.

On August 3, 2007, SETH NELSON'S probation officer, assisted by officers of the Central Montana Drug Task Force, searched the NELSON residence. When the officers arrived, they found ASHLEY NELSON in the home. The couple's young children were also in the home. SETH NELSON was at work.

The officers recovered various items used to manufacture methamphetamine in the home, including Acetone, drain cleaner, muriatic acid, striker pads from matchbooks (a source of red phosphorus), Coleman fuel, and suspected iodine.

Also recovered during the search of the residence was a Raven Arms, Model P-25, .25 caliber pistol. A Taurus, Model PT-140, .40 caliber pistol was found in SETH NELSON'S vehicle.

When interviewed, ASHLEY NELSON admitted that the home contained materials used to manufacture methamphetamine. She also admitted that she and SETH NELSON had manufactured methamphetamine about five times over the preceding six months.

SETH NELSON was summoned to return to the residence. When questioned, he admitted that he and ASHLEY NELSON had manufactured methamphetamine in the residence approximately five times over the preceding four months. He also admitted that he was aware the .25 caliber pistol was in the residence and the .40 caliber pistol was in his vehicle.

Both Nelsons were arrested on state drug charges. While he was incarcerated, SETH NELSON admitted to another inmate that his children had been exposed to noxious byproducts from the methamphetamine manufacturing process used in this case.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement and the Central Montana Drug Task Force.

SAUL NUNO-RAMIREZ

SAUL NUNO-RAMIREZ, a 31-year-old resident of Billings, was sentenced to a term of:

- Prison: 12 months and 1 day
- Special Assessment: $300
- Supervised Release: 3 years

NUNO-RAMIREZ was sentenced in connection with his guilty plea to two counts of distribution of marijuana and one count of distribution of cocaine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From early 2004 to the summer of 2004, NUNO-RAMIREZ distributed marijuana and cocaine in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the High Intensity Drug Trafficking Area (HIDTA) Task Force.

JAMES OSBORNE and ELAINE BESTON
(OSBORNE & BESTON)

JAMES OSBORNE, age 34, and ELAINE BESTON, age 33, residents of Great Falls, were sentenced:

OSBORNE was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Supervised Release: 5 years

BESTON was sentenced to a term of:

- Prison: 192 months
- Special Assessment: $100
- Supervised Release: 10 years

They were sentenced in connection with their guilty pleas to conspiracy to possess with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In February of 2006, the Great Falls Police Department and the U.S. Immigration and Customs Enforcement (ICE) began to investigate the distribution of methamphetamine in Great Falls by a drug trafficking organization. At the head of the group was J.C. (an indicted co-conspirator who was arrested in another district, released, and is now a fugitive). The authorities learned that between 2005 and the end of May, 2006, J.C. imported multiple pounds of methamphetamine from California to Great Falls.

J.C. distributed the methamphetamine through a number of lower level drug traffickers in Great Falls, one of whom was A.B. A.B. was an associate of OSBORNE and his girlfriend, BESTON.

Around the last quarter of 2005, A.B. began to provide methamphetamine to OSBORNE and BESTON. They, in turn, distributed the methamphetamine to others. OSBORNE and BESTON continued to receive methamphetamine from A.B. and distribute it until late March of 2006, when BESTON was arrested on another matter.

In November of 2007, members of ICE and the Great Falls Police Department interviewed BESTON. She admitted that she and OSBORNE distributed methamphetamine which they had received from A.B. She stated that A.B. initially provided her with 3.5 grams of the drugs every couple of days. OSBORNE stated that from Christmas of 2005 to her arrest in late March of 2006, A.B. provided her with an ounce of methamphetamine every other day. She and OSBORNE, in turn, distributed that methamphetamine to others.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the Great Falls Police Department and the U.S. Immigration and Customs Enforcement.

ROBBIN EUGENE PARKS

ROBBIN EUGENE PARKS, a 46-year-old resident of California, was sentenced to a term of:

- Prison: 188 months
- Special Assessment: $100
- Supervised Release: 5 years

PARKS was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have

proved at trial the following:

On September 3, 2006, a Montana Highway Patrol officer stopped a vehicle in Glacier County. PARKS was a passenger in the vehicle.

The stop evolved into a search. Approximately 89 grams of suspected methamphetamine was recovered from the glove box. A chemical analysis of the seized substance subsequently revealed the substance contained a detectable amount of methamphetamine, a Schedule II controlled substance. PARKS and the driver of the vehicle were taken into custody.

When interviewed, PARKS admitted that the drugs were his and that he planned to deliver them to a person in Toole County who could sell the drugs. PARKS also admitted that he had, in the preceding months, transported several pounds of methamphetamine from the State of Washington to Montana and that he was "just getting started in the business."

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation in Browning.

CHARLES PARRISH

CHARLES PARRISH, age 53, was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Supervised Release: 5 years

PARRISH was sentenced in connection with his guilty plea to conspiracy to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

A Montana Highway Patrol officer stopped PARRISH'S vehicle for speeding. PARRISH'S confusing answers to routine questions aroused the suspicion of the officer. The officer then questioned PARRISH and his passenger, Rury Meza, separately and their stories were starkly different.

During a search of PARRISH and his personal belongings, the officer found methamphetamine and material used to package the methamphetamine, including plastic baggies and gray duct tape, in a bag belonging to PARRISH. He was then arrested and the vehicle impounded.

The officer then offered Meza a ride to town. Meza accepted and grabbed his bag. The officer advised Meza he would have to search the bag before he could allow it in his patrol car and Meza agreed to the search. Inside Meza's bag, the officer found baggies and duct tape similar to those found in the driver's bag, and also found over an ounce of what appeared to be methamphetamine. Meza was then arrested.

Later officers learned from an informant who had been in jail with Meza, that while in jail, Meza had bragged that the officers had missed a large quantity of methamphetamine when they searched the car. Armed with a new search warrant, officers searched the car again. As Meza had described, the officers found approximately 10 more ounces of methamphetamine in the car.

Meza pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Josh Van de Wetering prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the Montana Highway Patrol.

CLACY PEDERSEN

CLACY PEDERSEN, a 22-year-old resident of Billings, was sentenced to a term of:

- Prison: 72 months
- Special Assessment: $100
- Supervised Release: 5 years

PEDERSEN was sentenced in connection with her guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From approximately January of 2006 to July of 2006, PEDERSEN and several other individuals engaged in a conspiracy to possess with the intent to distribute over 500 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

ROGER PHILLIPS

ROGER PHILLIPS, a resident of Bozeman, was sentenced to a term of:

- Prison: 96 months
- Special Assessment: $100
- Supervised Release: 5 years

PHILLIPS was sentenced in connection with his guilty plea to possession with the intent to distribute methamphetamine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

During the period of the conspiracy, PHILLIPS was involved in receiving methamphetamine, a Schedule II controlled substance, from Crystal Busby, Buster Quesenberry and others for resale.

On April 23, 2005, at Belgrade, Derek Ard, PHILLIPS and other coconspirators were stopped by law enforcement. They held a ledger showing distribution of methamphetamine to Peggy Glock. Seized at that time was 67.30 grams of 59% methamphetamine or 39.7 grams of pure or actual methamphetamine.

During the period of the conspiracy, PHILLIPS possessed with intent to distribute or distributed in excess of 50 grams of a mixture of methamphetamine or 5 grams of actual methamphetamine.

Ard, Glock, Busby and Quesenberry pled guilty to federal charges and have been sentenced.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Drug Enforcement Administration.

CHANCE PINKERTON

CHANCE PINKERTON, age 22, was sentenced to a term of:

- Prison: 21 months
- Special Assessment: $100
- Community Service: 100 hours
- Supervised Release: 5 years

PINKERTON was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute cocaine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Between early 2005 and February of 2007, an individual, hereafter referred to as D.W., distributed in excess of five kilograms of cocaine in Bozeman.

Testimony would have been given that D.W. distributed cocaine to several other drug dealers in the Bozeman area and that those drug dealers, in turn, distributed cocaine to others in Bozeman. One of those dealers who received cocaine from D.W. was PINKERTON.

Testimony would also have shown that PINKERTON received cocaine for distribution in two to three ounce increments between May of 2006 and May 11, 2007.

When interviewed by law enforcement, PINKERTON admitted that he met D.W. in January of 2006, at which point he began to receive cocaine from D.W. which PINKERTON in turn distributed to others.

PINKERTON further admitted that in approximately May of 2006 he began to receive the cocaine from D.W., via Randy Gatewood, who acted as an intermediary between D.W. and PINKERTON. PINKERTON continued to receive cocaine by this method until approximately December of 2006. PINKERTON estimated he received a total of 1.4 kilograms of cocaine from D.W. or his intermediaries during the time he participated in the conspiracy.

Gatewood pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of investigation in Bozeman and the Missouri River Drug Task Force.

JOSEPH PONCE

JOSEPH PONCE, a 71-year-old resident of Billings, was sentenced to a term of:

- Prison: 135 months
- Special Assessment: $100
- Forfeiture: $8,023
- Supervised Release: 5 years

PONCE was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

At the sentencing proceeding, the government stated it would have proved at trial the

following:

On April 4, 2006, law enforcement agents executed a search warrant at PONCE'S residence in Billings and seized 815 grams of methamphetamine and $8,023 cash. This cash was proceeds from methamphetamine sales.

PONCE was interviewed and admitted to selling methamphetamine since 1988 to finance his lifestyle. He also admitted selling approximately 3 pounds of methamphetamine per month for approximately the last five years. He was selling the methamphetamine for redistribution to approximately five or six individuals.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the Montana Division of Criminal Investigation.

LISA JANE RICE

LISA JANE RICE, a 35-year-old resident of Fairview, was sentenced to a term of:

- Prison: 24 months
- Special Assessment: $100
- Supervised Release: 3 years

RICE was sentenced in connection with her guilty plea to possession with the intent to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On August 16, 2007, a confidential informant (CI) and RICE made arrangements for RICE to purchase methamphetamine. Through several phone conversations, RICE and the CI agreed that RICE would buy $2,000 worth of methamphetamine. RICE told the CI that her husband was gathering money from other individuals named "Dog" and "Boogie". Rice and the CI agreed to meet at a motel in Culbertson to complete the transaction.

RICE arrived at the motel shortly before 1:00 a.m. on August 17, 2007. The transaction was conducted inside one of the motel rooms. RICE gave $2,000 to the CI in exchange for approximately 1 ounce of a substance containing methamphetamine. The substance was contained in four plastic straws which were heat sealed shut.

When RICE departed the motel room, she was detained by law enforcement. The straws of methamphetamine were found on her person. When questioned, RICE stated that she had been given money by an unnamed individual in order to purchase

the methamphetamine. RICE further stated that she intended to deliver half of the methamphetamine to this unnamed person and that she would keep the remainder of the methamphetamine to personally use, along with a girlfriend.

The substance inside the straws was tested by the U.S. Drug Enforcement Administration laboratory. The substance tested positive for methamphetamine. The laboratory determined that the substance contained 7.6 grams of pure methamphetamine.

Assistant U.S. Attorney Richard A. Hosley prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration, the Big Muddy Drug Task Force, and the Roosevelt County Sheriff's Office.

KELLEY FRANKLIN ROBERTS

KELLEY FRANKLIN ROBERTS, a 24-year-old resident of Bozeman, was sentenced to a term of:

- Prison: 36 months
- Special Assessment: $100
- Supervised Release: 5 years

ROBERTS was sentenced in connection with his guilty plea to conspiracy to distribute cocaine and marijuana.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In approximately October of 2005, ROBERTS met a Bozeman-area cocaine supplier and began exchanging modest amounts of marijuana and cocaine. Shortly thereafter, ROBERTS began fronting one-pound quantities of marijuana to this supplier and another individual for $4,000.

During the spring of 2006, ROBERTS fronted between ½ pound and five pounds of marijuana to these individuals each week and also purchased approximately two grams of cocaine from the cocaine supplier for $80 per gram.

ROBERTS' marijuana suppliers resided in California and ROBERTS routinely obtained five to fifteen pound quantities of marijuana from those California sources throughout 2006. According to ROBERTS' statements to law enforcement, he distributed approximately five pounds of marijuana in November of 2006, seven pounds in December of 2006, and ten to 12 pounds every month from January to April of 2007.

One of ROBERTS' California marijuana suppliers also was interested in distributing large quantities of cocaine to the cocaine supplier and yet another individual in Bozeman. ROBERTS offered five kilograms of cocaine to these two individuals for $650 per ounce, but the cocaine supplier was unwilling to pay more than $17,000 per kilogram ($650 per ounce would be approximately $22,930 per kilogram).

In the spring of 2007, ROBERTS and the other individual again discussed the possibility of a deal between ROBERTS' California source and the individual's Georgia source. ROBERTS and the individual discussed the purchase of multiple kilograms of cocaine, not less than five, by the individual's source of supply in Georgia from ROBERTS' source of supply in California. The parties discussed the price of the cocaine and the details of the sale, including who would transport the cocaine from California and whether the California seller and Georgia buyer would meet in Montana to exchange drugs and money. In the end, the deal did not occur because the Georgia buyers could not assemble enough cash to make the purchase and the parties could not agree on the other details of the transaction. In addition, the investigation into the conspiracy was intensifying, which eventually prevented the co-conspirators from further discussing or finalizing the deal.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Missouri River Drug Task Force.

JERRY RODRIGUEZ

JERRY RODRIGUEZ was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Supervised Release: 5 years

RODRIGUEZ was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute and distribution of methamphetamine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

From approximately some time in 2003, up to April 4, 2006, RODRIGUEZ and several other individuals engaged in a conspiracy to possess and distribute methamphetamine in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Drug Enforcement Administration.

ANTHONY ROLLINS

ANTHONY ROLLINS was sentenced to a term of:

- Prison: 85 months
- Special Assessment: $200
- Supervised Release: 3 years

ROLLINS was sentenced in connection with his guilty plea to distribution of cocaine and use of a firearm during and in relation to a drug-trafficking crime.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Testimony would have shown that an individual traded a teener (1/16th of an ounce) of cocaine powder to ROLLINS for a Shandong First Machinery Co. 12 gauge shotgun, Model UCN1201. Further testimony would have shown that this individual also sold ROLLINS 1/8th of an ounce of cocaine on four separate occasions

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Billings Big Sky Safe Streets Task Force.

ALFREDO REYES-ORTIZ

ALFREDO REYES-ORTIZ, a 28-year-old citizen of Mexico, was sentenced to a term of:

- Prison: 16 months
- Special Assessment: $100
- Supervised Release: 1 year

REYES-ORTIZ was sentenced in connection with his guilty plea to illegal re-entry of a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On June 19, 2008, a Montana Highway Patrol trooper in Big Horn County conducted a traffic stop on a vehicle near Hardin. The passenger of the vehicle identified himself as Celidonio Sacamitzi-Rodriguez.

On June 20, 2008,Sacamitzi-Rodriguez was transported to Billings where he was fingerprinted. A fingerprint analysis through the U.S. Immigration and Customs Enforcement identified him as ALFREDO REYES-ORTIZ, an individual who had been removed from the United States on July 27, 2005, through Presidio, Texas. A further

review of immigration records did not reveal any evidence that REYES-ORTIZ had received permission from the Attorney General or the Secretary of Homeland Security to reenter the United States after being removed.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

JOSE PINEDA-GALLEGOS

JOSE PINEDA-GALLEGOS, a 25-year-old citizen of Mexico, was sentenced to a term of:

- Prison: 10 months
- Supervised Release: 2 years

PINEDA-GALLEGOS was sentenced in connection with his guilty plea to illegal re-entry of a previously removed alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 21, 2008, a U.S. Immigration and Customs Enforcement officer received information that several aliens were illegally present in the United States and residing at a residence in Bonner. The agent corroborated the information and proceeded to the house, accompanied by other ICE agents, to continue his investigation. When he arrived at the house, he knocked on the door and it opened slightly. A Hispanic male answered the door and invited the agents inside.

In response to the agent's questions, the Hispanic male acknowledged that several other people were present in the house. Those other people, including PINEDA-GALLEGOS, were located and interviewed. During the course of the interview PINEDA-GALLEGOS admitted that he was an alien illegally present in the United States. His immigration records reflect that he was deported from the United States on March 12, 2002, December 22, 2004, and April 5, 2005, through the Port of Entry at Nogales, Arizona. There is no evidence in PINEDA-GALLEGOS' immigration file that he applied for permission to reenter the United States with either the Secretary of the Department of Homeland Security or the Attorney General.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

COSME SANCHEZ-ESPINO

COSME SANCHEZ-ESPINO, a 25-year-old resident of Oregon, was sentenced to a term of:

- Prison: 222 months, concurrent with another sentence
- Special Assessment: $100
- Supervised Release: 5 years

SANCHEZ-ESPINO was sentenced in connection with his guilty plea to conspiracy to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Between April of 2006, and continuing through July of 2007, SANCHEZ-ESPINO, Marvin Mullen, Marlena Harringer, and Edmund Paul Vaisvilas were involved in a conspiracy with several other individuals to distribute over 500 grams of methamphetamine in Meagher, Mineral, Lewis and Clark, and Gallatin counties.

Mullen, Harringer, and Vaisvilas pled to federal charges and have been sentenced.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Bozeman and Helena Missouri River Drug Task Force, the Drug Enforcement Administration, the Federal Bureau of Investigation, the Meagher County Sheriff's Office, the Mineral County Sheriff's Office, the Montana Highway Patrol, and the Siskiyou County Sheriff's Office in California.

NESTOR SANDOVAL-SANDOVAL

NESTOR SANDOVAL-SANDOVAL was sentenced to a term of:

- Prison: 292 months
- Special Assessment: $100
- Supervised Release: 10 years

SANDOVAL-SANDOVAL was sentenced in connection with his guilty plea to distribution of methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

During 2004, SANDOVAL-SANDOVAL and several other individuals were involved in a conspiracy to possess with the intent to distribute methamphetamine, a Schedule II

controlled substance, in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration, the U.S. Immigration and Customs Enforcement and the High Intensity Drug Trafficking Area (HIDTA) Task Force.

MICHAEL SATTLER

MICHAEL SATTLER was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Supervised Release: 5 years

SATTLER was sentenced in connection with his guilty plea to conspiracy to distribute methamphetamine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

From approximately May 6, 2005, up to and including an unknown date in May of 2006, SATTLER was engaged with several other individuals in a conspiracy to distribute over 500 grams of a mixture or substance containing a detectable amount of methamphetamine in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Drug Enforcement Administration.

SUSAN SCHELL

SUSAN SCHELL, a 48-year-old resident of Whitehall, was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $100
- Supervised Release: 6 years

SCHELL was sentenced after having been found guilty during a 3-day trial of possession with the intent to distribute methamphetamine.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by Billings Big Sky Safe Streets Task Force.

JOSE “PEPE” SERVELLON

JOSE “PEPE” SERVELLON, a citizen of El Salvador, was sentenced to a term of:

- Prison: 21 months
- Special Assessment: $100
- Supervised Release: 3 years

SERVELLON was sentenced in connection with his guilty plea to possession with the intent to distribute over 50 kilograms of marijuana.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From approximately the spring of 2004 until November of 2004, SERVELLON and several other individuals were engaged in a conspiracy to distribute marijuana in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Drug Enforcement Administration.

MELISSA SHUMSKY

MELISSA SHUMSKY, a 26-year-old resident of California, was sentenced to a term of:

- Prison: 16 months
- Special Assessment: $100
- Supervised Release: 4 years

SHUMSKY was sentenced in connection with her guilty plea to conspiracy to possess with the intent to distribute marijuana.

At the sentencing proceeding, the government stated it would have proved at trial the following:

From approximately 2004 up to and including April 25, 2005, in Billings and elsewhere, SHUMSKY engaged in a conspiracy with several other individuals to possess with the intent to distribute over 100 kilograms of marijuana, a Schedule I controlled substance.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration, the U.S. Immigration and Customs Enforcement and the High Intensity Drug Trafficking Area (HIDTA) Task Force.

CHRISTOPHER PAUL SMITH

CHRISTOPHER PAUL SMITH, age 24, was sentenced to a term of:

- Prison: 90 months
- Special Assessment: $400
- Community Service: 400 hours
- Supervised Release: 5 years

SMITH was sentenced in connection with his guilty plea to possession with the intent to distribute methamphetamine and cocaine, possession of a firearm in furtherance of a drug-trafficking crime, and possession of a machinegun.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On August 23, 2007 SMITH abandoned the pickup truck that he was driving after being pursued by police. SMITH was able to avoid being apprehended by police, but was positively identified as the driver of the vehicle.

During a search of the vehicle, methamphetamine, cocaine, marijuana and a Springfield Arms 1911-A1 .45 caliber pistol were recovered. The search also revealed stolen electronics, other drug paraphernalia, and paperwork with the name Chris Smith on it. Some of the contraband was found in a bag with the name “SMITH” on it.

On October 26, 2007, law enforcement discovered the blue Dodge Diplomat that SMITH was driving at the time parked next to a Pontiac Sunfire registered to James Blodgett. Both cars were parked in front of the a motel.

Although neither SMITH nor Blodgett was registered at the hotel, room #420 was rented to a known methamphetamine user. The window in room #420 looked out at where SMITH and Blodgett’s cars were located. An officer knocked on the door of room #420 and announced his presence as a police officer. He requested someone come to the door. The officer continued to knock for several minutes without an answer. Officers then requested SMITH and Blodgett to exit the room. It was also communicated that SMITH had several warrants out for his arrest and the officers were not going to leave until he came out of the room.

An excess of 15 minutes passed before a voice from inside room #420 stated that they were coming out. SMITH left the room first and was arrested. Blodgett followed and was detained. SMITH and Blodgett were asked for consent to search the room and both cars and both denied consent. The room was quickly cleared to ensure that no one else was inside. Once it was determined that there were no other occupants in the room, it was secured pending a search warrant.

While at the Missoula County Detention Center, SMITH admitted to being under the influence of "marijuana and crystal methamphetamine."

After obtaining a warrant, a search of room #420 revealed methamphetamine, cocaine, a loaded .45 caliber Smith and Wesson pistol, and a fully automatic, British manufactured, Sten Mark III 9mm sub-machine gun which was fully loaded with hollow point rounds. Agents also found a picture of a man holding the machine gun. The man was holding the machine gun with his right hand, and had his left hand hidden behind him. The visible arm had no tattoos. Blodgett's arms are covered in tattoos, while SMITH only has a tattoo on his lower left arm.

The search also revealed marijuana, marijuana paraphernalia, packaging supplies, methamphetamine pipes, psilocybin mushrooms and tightly packed cash.

Witnesses would have testified to seeing SMITH in possession of the machine gun and in possession of large quantities of methamphetamine.

Blodgett pled guilty and has been sentenced.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the Missoula High Intensity Drug Trafficking Area (HIDTA) Task Force and the Drug Enforcement Administration.

PHILLIP SMITH

PHILLIP SMITH, a 60-year-old resident of Indiana, was sentenced to a term of:

- Prison: 30 months
- Special Assessment: $100
- Community Service: 200 hours
- Supervised Release: 4 years

SMITH was sentenced in connection with his guilty plea to conspiracy to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In December of 2007, a confidential informant (CI) advised law enforcement agents that Craig Coolidge was dealing cocaine in the Kalispell area. The CI provided the agents with information of Coolidge's operations, including where he went for his supply and how he transported it back to Montana.

The CI informed the agents that Coolidge would be acquiring another load of cocaine

soon and explained how and when it would happen. The CI even provided the name of the driver Coolidge would use – SMITH – to drive the cocaine from Arizona to Montana, the day SMITH was to arrive in Kalispell, and the day Coolidge would fly from Kalispell to Tucson to consummate the deal.

The CI also provided the name of the airline Coolidge would be using and the name of the hotel where he would be staying, as well as the name of the rental car company in Kalispell where SMITH was to rent a car to take to Tucson to pick up the cocaine. After confirming this information, agents received a warrant and affixed a tracking device to the vehicle before SMITH picked it up.

Agents were then able to confirm that SMITH picked up the vehicle and drove it to Arizona. The vehicle then headed toward Montana, arriving three days later. ICE agents in Arizona also confirmed that Coolidge had traveled to Arizona, just as the informant stated that he would. Once the vehicle was back in Montana, agents stopped and searched the vehicle, recovering approximately 2 kilograms of cocaine.

Agents later searched Coolidge's house and recovered another large quantity of cocaine, approximately 840 grams. Over $13,000 in cash, a kilogram of marijuana, a digital scale, baggies, and a large number of firearms was also recovered during the search of his home.

Coolidge pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Timothy J. Racicot is assigned to the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

LANCE WINSLOW STODDARD

LANCE WINSLOW STODDARD, a 37-year-old resident of Belt, was sentenced to a term of:

- Prison: 57 months
- Forfeiture: firearms
- Restitution: $1,847
- Supervised Release: 3 years

STODDARD was sentenced in connection with his guilty plea to attempted manufacture of methamphetamine and being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On November 28, 2006, STODDARD was convicted of felony drug possession in Missoula County. An Intertec Arms (Tech 9), 9mm caliber semi automatic pistol with a Hell Fire Trigger system and a threaded barrel for the attachment of a flash suppressor and a flash suppressor were seized in the Missoula County case.

In May of 2007, Central Montana Drug Task Force (CMDTF) agents received information that STODDARD was operating a methamphetamine lab in his garage in Belt. The information included an allegation that STODDARD had taken possession of large quantities of matchbooks with striker plates from Montana Broom and Brush, a wholesaler of supplies for hotels, restaurants and other commercial businesses. The striker plates on matchbooks contain red phosphorous, a precursor chemical used in the manufacture of methamphetamine.

On May 30, 2007, a search of STODDARD'S residence was conducted by Montana Probation and Parole, assisted by the CMDTF. Agents found a substantial amount of drug paraphernalia inside the residence.

In the garage, the agents discovered a methamphetamine lab; so defined because of the presence of glassware, gas burners, match book striker plates (red phosphorous), iodine, salt, and other items commonly found at meth lab sites. CMDTF detectives, who had received extensive training in meth lab site analysis, determined that the lab had likely been operated within the week prior to the search as much of the evidence – i.e., iodine soaked rags – were still moist. The agents also recovered two firearms, a loaded Remington, Model 742, 30.06 caliber rifle and a 20 gauge Mossberg shotgun, Model 185KC, in the garage next to the meth lab.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

ANNA STREVER

ANNA STREVER, a resident of Billings, was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Supervised Release: 5 years

STREVER was sentenced in connection with her guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

From May of 2005 to May of 2006, STREVER was involved in a conspiracy with several

other individuals to distribute over 500 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the High Intensity Drug Trafficking Area (HIDTA) Task Force.

TYLER REED STUMP

TYLER REED STUMP, a 23-year-old resident of Rocky Boy's Reservation, was sentenced to a term of:

- Prison: 55 months, concurrent with another sentence
- Special Assessment: $200
- Supervised Release: 4 years

STUMP was sentenced in connection with his guilty plea to conspiracy to possess marijuana with the intent to distribute in a public housing facility and distribution of marijuana to a person under the age of 21.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On December 23, 2006, officers of the Chippewa Cree Tribal Law Enforcement Services of the Rocky Boy's Indian Reservation (hereafter the Rocky Boy's Police) arrested several juveniles for possessing marijuana. They learned that one of the juveniles, CN, had purchased marijuana on that date at Sunny Ray Ramirez's home, STUMP'S sister, which is located in a public housing complex on the Rocky Boy's Indian Reservation.

On December 23, 2006, officers of the Rocky Boy's Police Department and the Tri-Agency Safe Streets Task Force executed a search warrant on Ramirez's home. They recovered approximately 92 grams of marijuana and paraphernalia associated with the distribution of marijuana. STUMP was present in the home at the time of the search. STUMP and Ramirez were arrested at the scene of the search.

On December 25, 2006, Ramirez was interviewed. She admitted that she had been selling marijuana since the beginning of December 2006. She also stated that STUMP was aware that she was involved in the distribution of marijuana.

On December 27, 2007, the authorities interviewed CN. CN stated that he had previously purchased marijuana from STUMP at his Ramirez's residence during the time period of December 1, 2006 to December 24, 2006.

On December 29, 2007, another juvenile, MW, informed the authorities that he had purchased marijuana from Ramirez at her residence.

A chemist from the Drug Enforcement Administration subsequently performed a chemical analysis of the marijuana seized from the residence. He confirmed that the substance seized consisted of more than five grams of a substance containing a detectable amount of marijuana, a Schedule I controlled substance.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was conducted by the Tri-Agency Safe Trails Drug Task Force.

DONALD JOE TAURMAN

DONALD JOE TAURMAN, a 52-year-old resident of Kalispell, was sentenced to a term of:

- Prison: 78 months
- Special Assessment: $100
- Supervised Release: 5 years

TAURMAN was sentenced in connection with his guilty plea to conspiracy to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In the late spring and summer of 2007, agents of the Northwest Drug Task Force learned from confidential informants that Daniel Carl Frakes was supplying TAURMAN with large quantities of methamphetamine.

When interviewed on July 3, 2007, Frakes stated that he was introduced to TAURMAN in the fall of 2005 and brought TAURMAN an estimated one-quarter pound of methamphetamine every week from September of 2005 through the spring of 2006 and at least one-half pound of methamphetamine every week from the spring of 2006 until his (Frakes') arrest in July of 2007.

On August 14, 2007, TAURMAN was questioned and admitted that between July of 2006 and July of 2007 he received methamphetamine from Frakes between 25 and 40 times in one-quarter pound average increments. TAURMAN also stated that in early 2006 he introduced Frakes to a methamphetamine distributor so that Frakes could start distributing methamphetamine in Montana.

Frakes pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Northwest Drug Task Force and the Drug Enforcement Administration.

JAMES B. TINSLEY

JAMES B. TINSLEY, a 45-year-old resident of Billings, was sentenced to a term of:

- Prison: 262 months
- Special Assessment: $100
- Supervised Release: 8 years

TINSLEY was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute cocaine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

TINSLEY sold cocaine to a law enforcement agent on several occasions, including delivering a pound of powder cocaine to the officer.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration, the High Intensity Drug Trafficking Area (HIDTA) Task Force, and the Montana Division of Criminal Investigation.

GULMARO TORRES-LEON

GULMARO TORRES-LEON, a 27-year-old resident of Colorado, was sentenced to a term of:

- Prison: 360 months
- Special Assessment: $100
- Supervised Release: 5 years

TORRES-LEON was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute and distribution of methamphetamine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

From approximately May 6, 2005, to May of 2006, TORRES-LEON was involved in a conspiracy with several other individuals to possess with the intent to distribute and

distribute over 500 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the High Intensity Drug Trafficking Area (HIDTA) Task Force.

KATHY TORRES-WILSON

KATHY TORRES-WILSON, a resident of Denver, Colorado, was sentenced to a term of:

- Prison: 72 months
- Special Assessment: $100
- Supervised Release: 5 years

TORRES-WILSON was sentenced in connection with her guilty plea to conspiracy to possess with the intent to distribute methamphetamine.

At the sentencing proceeding, the government stated it would have proved at trial the following:

From approximately May 6, 2005, up to and including an unknown date in May of 2006, WILSON and several other individuals were involved in a conspiracy to possess and distribute methamphetamine in the Billings area.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the Drug Enforcement Administration.

CRAIG ALAN ULLMAN

CRAIG ALAN ULLMAN, a 26-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 120 months
- Supervised Release: 5 years

ULLMAN was sentenced in connection with his guilty plea to conspiracy to possess with the intent to distribute cocaine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In approximately May of 2006, Steven James Olsen began receiving shipments of cocaine from an individual hereafter referred to as "John Doe." "John Doe" would ship the cocaine to Bozeman from Columbus, Georgia, via Federal Express, in quantities of up to 24 ounces (680 grams). Olsen would pay for the cocaine by shipping cash to "John Doe," also via Federal Express. Both Olsen and "John Doe" often used aliases on the Federal Express shipment forms, including the names "Nick Harris" and "Richard Jones."

Based on Olsen's statements to law enforcement, he received between six and 13 kilograms of cocaine from "John Doe" during the life of the conspiracy, which ended due to law enforcement intervention in April of 2007. Olsen further stated that he sold the majority of the cocaine he received from "John Doe" to another individual, hereafter referred to as "John Smith". "John Smith" was interviewed by law enforcement officers and admitted buying significant quantities of cocaine from Olsen. "John Smith" stated that he knew the source of the cocaine was "John Doe" and estimated that he sold 60% to 70% of the cocaine he received from Olsen to ULLMAN, usually in ounce to quarter-pound quantities.

On November 10, 2006, officers from the Missouri River Drug Task Force, using a confidential informant, purchased two eight-balls of cocaine from yet another individual, hereafter referred to as "John White". The officers later determined that "John White's" source of supply for cocaine was ULLMAN. Based on that information, the officers arranged for the purchase of cocaine directly from ULLMAN, by "John White," on January 16, 2007. The task force officers monitored and observed the controlled buy of one-quarter ounce of cocaine from ULLMAN. During the transaction, ULLMAN stated that he had received the cocaine from his usual source, which, as noted above, was "John Smith". "John Smith", also as noted above, received his cocaine from Olsen, via "John Doe."

Olsen pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Missouri River Drug Task Force.

EDMUND PAUL VAISVILAS

EDMUND PAUL VAISVILAS, a 34-year-old resident of White Sulphur Springs, was sentenced to a term of:

- Prison: 168 months, consecutive to another sentence
- Special Assessment: $100
- Supervised Release: 10 years

VAISVILAS was sentenced in connection with his guilty plea to conspiracy to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Between April of 2006, and continuing through July of 2007, VAISVILAS, Marvin Mullen, and Marlena Harringer were involved in a conspiracy with several other individuals to distribute over 500 grams of methamphetamine in Meagher, Mineral, Lewis and Clark, and Gallatin counties.

Mullen and Harringer pled guilty to federal charges and have been sentenced.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Bozeman and Helena Missouri River Drug Task Force, the Drug Enforcement Administration, the Federal Bureau of Investigation, the Meagher County Sheriff's Office, the Mineral County Sheriff's Office, the Montana Highway Patrol, and the Siskiyou County Sheriff's Office in California.

CHARLES LLOYD WILLIAMS

CHARLES LLOYD WILLIAMS, a 27-year-old resident of Sidney, was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Supervised Release: 8 years

WILLIAMS was sentenced after having been found guilty during a 2-day trial of possession with the intent to distribute methamphetamine.

Assistant U.S. Attorney Richard A. Hosley prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration and the Big Muddy River Drug Task Force.

JOHN FLOYD YEARBY, JR.

JOHN FLOYD YEARBY, JR., a 26-year-old resident of Columbus, Georgia, was sentenced to a term of:

- Prison: 38 months
- Special Assessment: $100
- Community Service: 500 hours

- Supervised Release: 5 years

YEARBY was sentenced after having been found guilty during a 2-day trial of conspiracy to possess with the intent to distribute cocaine.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between the Missouri River Drug Task Force and the Federal Bureau of Investigation.

FIREARMS

NICHOLAS ALLISON

NICHOLAS ALLISON, age 19, was sentenced to a term of:

- Prison: 30 months, concurrent with another sentence
- Special Assessment: $100
- Supervised Release: 3 years

ALLISON was sentenced in connection with his guilty plea to possession of a stolen firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On June 13, 2007, the Billings Police Department investigated a reported vehicle theft. While officers met with the complainant, the complainant observed the female he thought was the suspect and identified her to the officers. She began running away. As officers gave chase, they found her with a male individual in an alley. The two split up. An officer caught the male individual, who was later identified as ALLISON.

When questioned, ALLISON said he did not know the car was stolen and that the female said it was hers. As they spoke, another female walked up to the officers. This woman was carrying a black firearm and said she saw a male running past her residence and he had thrown the gun down there. She turned it over to the officer. The pistol was a black Desert Eagle “Baby Eagle” .40 caliber semi-automatic pistol. The firearm had previously been reported stolen in a burglary that occurred in April of 2007.

ALLISON admitted to possession of the firearm and said he had bought the firearm two or three days before he was caught with it. ALLISON stated that a girl he knew asked him if he wanted to buy a firearm from a guy she knew as “Johnny.” ALLISON said he figured he could get the gun cheap and sell it for more. ALLISON said “Johnny” handled the gun with gloves and told him he needed to scrape the serial number off the

gun because the gun was “hot.” ALLISON said he took this to mean that the gun was stolen. ALLISON said he bought it anyway for $200.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Billings Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

MAURICE RONALD ARCHER

MAURICE RONALD ARCHER, a 66-year-old resident of West Yellowstone, was sentenced to a term of:

- Prison: 21 months, concurrent with a state sentence
- Special Assessment: $100
- Supervised Release: 3 years

ARCHER was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On May 19, 1981, ARCHER was convicted in the State of New York of robbery with a firearm.

On and prior to February 2, 2006, ARCHER was in possession of eleven firearms. His wife stated that ARCHER had directed her to get rid of the firearms for him - and not by turning the firearms over to law enforcement. ARCHER had wanted to her to sell the firearms at National Pawn in Bozeman for him. She also stated that ARCHER had acquired all of the firearms during their marriage by purchasing firearms from individuals and not stores due to his felony conviction. They were married in 1984.

Numerous witnesses from West Yellowstone would have testified that they observed ARCHER in possession of various firearms over the last several years. Further testimony would have included various hunting trips as well as ARCHER driving around West Yellowstone with a pistol in a shoulder holster prior to February 2006.

Another individual would have testified that he sold four different firearms to ARCHER, not knowing that ARCHER was a convicted felon.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

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

EMILY NICOLE AUTHEMENT

EMILY NICOLE AUTHEMENT, a 23-year-old resident of Texas, was sentenced to a term of:

- Prison: 37 months
- Special Assessment: $100
- Restitution: $4,078.25
- Forfeiture: sawed-off shotgun and 9 mm. pistol
- Supervised Release: 3 years

AUTHEMENT was sentenced in connection with her guilty plea to being in possession of a sawed-off shotgun.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On May 16, 2007, in Helena, deputies from the Lewis & Clark County Sheriff's Office conducted a traffic stop on a vehicle occupied by AUTHEMENT and two males, one of whom was Jeremy Jordan. Jordan pled guilty and has been sentenced. Officers recovered a 9mm pistol from Jordan, as well as a sawed-off shotgun from the vehicle pursuant to a search warrant.

On July 10, 2007, AUTHEMENT was interviewed and admitted to possession and ownership of the shotgun. She further admitted to cutting down the shotgun approximately one year prior. She also admitted that the pistol was hers. At the time, AUTHEMENT was a convicted felon. She had been convicted in Arkansas for possession with the intent to distribute methamphetamine.

The firearms recovered were: a Compahania Brasileira de Cartuchos, 20 gauge shotgun; and a Stallard Arms, 9mm pistol. The shotgun had an overall length of approximately 20.5" and a barrel length of approximately 13.5".

A check of the National Firearms Registration and Transfer Record showed that the sawed-off shotgun was not registered nor did AUTHEMENT have any firearms registered to her.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Lewis & Clark County Sheriff's Office and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

ANGIE ELAINE AZURE

ANGIE ELAINE AZURE, a resident of Great Falls, was sentenced to a term of:

- Prison: 12 months, consecutive to another sentence
- Special Assessment: $100
- Supervised Release: 3 years

AZURE was sentenced in connection with her guilty plea to making a false statement during a firearms transaction.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On August 26, 2006, AZURE purchased a HiPoint 9mm caliber rifle from Warehouse Pawn in Great Falls. She lied during the transaction because she was not the true purchaser or buyer of the rifle. A fugitive from justice, who was also a drug user, was the true purchaser of the rifle.

When interviewed on October 19, 2006, AZURE admitted to law enforcement that this individual paid her $100 for purchasing the firearm for him.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Office of the Inspector General for Malmstrom Air Force Base, the Great Falls Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

CYNTHIA JOANN BOE

CYNTHIA JOANN BOE, a 44-year-old resident of Baker, was sentenced to a term of:

- Probation: 4 years, with 1 year of home arrest
- Special Assessment: $100

BOE was sentenced in connection with her guilty plea to making a false statement in acquisition of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On August 10, 2007, BOE was found to suffer from a mental disorder and was involuntarily committed to the Montana State Hospital at Warm Springs for a period not to exceed ninety days.

On September 22, 2007, BOE purchased two handguns from a federally licensed firearms dealer in Billings. BOE completed and signed the Firearms Transaction Record which was submitted to the National Instant Check System and answered the

question regarding any commitments to a mental institution falsely by stating that she had not been committed to a mental institution. BOE obtained the firearms because she made the false statement that allowed her to subvert the system that was established by Congress.

When confronted by law enforcement, BOE admitted to purchasing the two handguns and having them in her possession. BOE further admitted to providing a false answer on the Firearms Transaction Record and admitted to being previously involuntarily committed to a mental institution.

U.S. Attorney Bill Mercer prosecuted the case for the United States.

The investigation was a cooperative effort between the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Fallon County Sheriff's Office.

DANIEL AMOS BRIDGES

DANIEL AMOS BRIDGES, a 30-year-old resident of Wolf Point, was sentenced to a term of:

- Prison: 22 months
- Special Assessment: $100
- Supervised Release: 3 years

BRIDGES was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 18, 2007, BRIDGES entered his father's residence in Wolf Point and waved a firearm in front of members of his family. BRIDGES was on probation for a 2006 felony forgery from the 15th Judicial District Court, located in Roosevelt County. The family said that he was not threatening them with the handgun, but was waving it around. Family members took the handgun from BRIDGES and hid it in the home.

Roosevelt County Sheriff's deputies responded to the scene and found BRIDGES at the home. BRIDGES' mother retrieved the gun and gave it to the officers. The gun was a Sig Sauer, 9mm pistol that had been stolen from the home of BRIDGES' brother-in-law, a reserve police officer for Poplar City.

When officers attempted to arrest BRIDGES, he got into a defensive stance. BRIDGES told officers he would knock them out if they attempted to arrest him. BRIDGES was handcuffed and placed into custody.

Assistant U.S. Attorney Vince Carroll prosecuted the case for the United States.

The investigation was a cooperative effort between the Roosevelt County Sheriff's Office and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

GARY BRAUN

GARY BRAUN, a 56-year-old resident of Big Timber, was sentenced to a term of:

- Prison: 27 months
- Special Assessment: $200
- Supervised Release: 3 years

BRAUN was sentenced in connection with his guilty plea to possession of a sawed-off shotgun and being the subject of a restraining order in possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On December 11, 2006, an Order of Protection was entered against BRAUN. The Order prohibited BRAUN from owning, possessing, or purchasing firearms and the Order was to be in effect until December 7, 2007. The Order also explicitly advised BRAUN that he was not to possess a firearm or ammunition.

On March 22, 2007, deputies from the Sweet Grass County Sheriff's Office responded to a call. The caller advised the deputies that she had some firearms belonging to BRAUN that she wanted to turn over to law enforcement because she was concerned what BRAUN might do with the guns if he got them back.

The caller gave the deputies two firearms, one of which was a sawed-off New England Model "Pardner" .410 shotgun. When recovered by law enforcement, the shotgun was obviously "sawed-off" on both ends. It had a barrel length of only 12⅛ inches and an overall length of only about 19 inches. The caller said she had taken the firearms from BRAUN'S residence earlier in the evening as BRAUN did not want deputies to find the guns there.

A witness would have testified that she was with BRAUN when he purchased the .410 shotgun from a seller in Livingston on March 13, 2007. The witness would have also testified that BRAUN modified the shotgun by cutting off its barrel and its stock, some time around March 18-19, 2007. The shotgun had been intact as manufactured at the time BRAUN purchased it.

Furthermore, there were pending felony charges in Montana state district court for Intimidation against BRAUN at the time he purchased the .410 shotgun.

A review of the National Firearms Registration and Transfer Record found no firearms registered to BRAUN.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Sweet Grass County Sheriff's Office and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

DONALD J. BRUMFIELD

DONALD J. BRUMFIELD, a 28-year-old resident of Tangipahoa, Louisiana, was sentenced to a term of:

- Prison: 12 months
- Special Assessment: $100
- Supervised Release: 3 years

BRUMFIELD was sentenced in connection with his guilty plea to possession of a firearm while under an Order of Protection.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On June 13 2006, BRUMFIELD was placed under an Order of Protection in the Twenty-First Judicial District Court in the City/Parish of Tangipahoa, Louisiana. The court issued the Order of Protection after a hearing in which BRUMFIELD had an opportunity to participate. At that hearing, the judge made the following factual findings: the petitioner was a current or former unmarried intimate cohabitant; the allegations presented constituted an immediate and present danger of abuse; and the petitioner had good and reasonable grounds to fear for her safety. The Order restrained BRUMFIELD from abusing, harassing, stalking, following or threatening the petitioner in any manner whatsoever, explicitly including "the use, attempted use, or threatened use of force or physical violence that would reasonably be expected to cause bodily injury." The Order was in effect until November 30, 2007. The Order also explicitly advised BRUMFIELD that he was not to possess a firearm or ammunition.

On September 12, 2006, officers with the Billings Police Department were making efforts to prevent a reportedly planned retaliation for a recent shooting at the "12th Planet." In this effort, officers went to the area around 296 Monroe to calm the situation and identify persons present, including persons known to be likely targets of a retaliatory shooting. Officers located several people, including a female and male in a car. An officer identified the male passenger as BRUMFIELD. The officer received consent from the female driver to search the vehicle. A handgun was located in the glove compartment where BRUMFIELD was sitting. The gun was loaded with 12 rounds in the magazine. BRUMFIELD claimed the gun was his and said he did not tell

the officer it was there because he did not expect the officer to search the vehicle. When BRUMFIELD overheard the police radio traffic concerning his Order of Protection, BRUMFIELD acknowledged the Order and said the Order was from his ex-girlfriend and she was not around.

The recovered firearm was identified as a Browning Hi Power 9mm handgun.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Billings Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

RONALD TOBY BURD

RONALD TOBY BURD, a 30-year-old resident of Butte, was sentenced to a term of:

- Prison: 78 months
- Special Assessment: $100
- Supervised Release: 3 years

BURD was sentenced in connection with his guilty plea to being in possession of a firearm and ammunition after having been convicted of a misdemeanor crime of domestic violence.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On January 15, 2003, BURD was convicted of domestic assault in the Circuit Court of Clinton County, State of Missouri.

On November 16, 2004, Butte Silver Bow Law Enforcement Agency officers located BURD while searching for other subjects in Butte. The officers arrested BURD on a city warrant. During the arrest, officers observed drug paraphernalia and a rifle butt in plain view.

During a search of BURD'S room, officers recovered a Norinko SKS assault rifle and 15 rounds of ammunition.

When interviewed, BURD admitted to ownership and possession of the Norinko SKS assault rifle. He stated that he had received the rifle from a friend in October of 2004. BURD also admitted to the misdemeanor domestic violence conviction in Missouri where he fought with his live-in girlfriend.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Butte Silver Bow Law Enforcement Agency and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

MATTHEW SCOTT BURGESS

MATTHEW SCOTT BURGESS, a 32-year-old resident of Kalispell, was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $100
- Supervised Release: 5 years

BURGESS was sentenced in connection with his guilty plea to possession of a firearm in furtherance of drug-trafficking.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From December 2006 through March 2007, BURGESS sold cocaine to an undercover officer in Kalispell.

The undercover officer purchased cocaine from BURGESS on 5 occasions: December 18, 2006, with the assistance of another individual; the officer then conducted purchases on his own on January 9 and 24 and March 13 and 22, 2007, in Kalispell.

During the final purchase from BURGESS, BURGESS showed the officer an H&K pistol that was unloaded. During BURGESS' arrest following the cocaine purchase, a loaded Colt .45 caliber pistol was recovered from behind his back in his waistband. During pre-buy conversations on March 22, 2007, between BURGESS and the officer, BURGESS mentioned having to leave a Colt .45 pistol and an H&K pistol with his supplier as collateral.

Analysis conducted by the Montana State Crime Laboratory confirmed that the substance purchased from BURGESS on each occasion was in fact cocaine.

The firearms recovered in this case were a Heckler & Koch 9mm pistol and a Colt .45 caliber pistol.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was conducted by the Northwest Drug Task Force.

JAMES ERIC CASE

JAMES ERIC CASE, a resident of Lincoln, was re-sentenced to a term of:

- Prison: 6 months and 12 days (time served)
- Special Assessment: $100
- Supervised Release: 3 years

CASE was re-sentenced in connection with his guilty plea to possession of stolen firearms after his original sentence was appealed to the Ninth Circuit Court of Appeals. The sentence was reversed and remanded back to U.S. District Court for re-sentencing.

Assistant U.S. Attorney Paulette S. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Lewis and Clark County Sheriff's Office and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

DONALD CASTERLINE, LEVI KERSHAW, and MIKE WILSON
(CASTERLINE, KERSHAW & WILSON)

DONALD CASTERLINE, age 22, LEVI KERSHAW, age 21, and MIKE WILSON, age 21, residents of Victor, appeared for sentencing.

CASTERLINE was sentenced to a term of:

- Prison: 16 months, with last 8 months on home confinement
- Special Assessment: $100
- Restitution: $1,050
- Supervised Release: 3 years

KERSHAW was sentenced to a term of:

- Prison: 15 months
- Special Assessment: $100
- Restitution: $1,050
- Supervised Release: 3 years

WILSON was sentenced to a term of:

- Probation: 3 years, with 8 months of home confinement
- Special Assessment: $100
- Restitution: $1,050

They were sentenced in connection with their guilty pleas to possession of stolen explosives.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On April 21, 2007 a secured explosive magazine located in the Bitterroot Mountains on Sweathouse Creek Road near Victor was broken into and its explosive contents stolen. The explosive product stolen was approximately 120 pounds of commercial explosive used in a legitimate rock quarry operation.

Upon initial investigation by the Ravalli County Sheriff's Office (RCSO), officers found a pay stub from Montana Logging Company in the name of Cory Pritchard. The owner of the Montana Logging Company related that he did have a current employee named Cory Pritchard. The owner related that Cory Pritchard was working on a three man crew logging outside Helena. Law enforcement located the logging crew camp trailer at an East Helena RV park.

When Cory and Brett Pritchard left the camp trailer for work on April 25, 2007, law enforcement detained and questioned them about the explosives theft in Ravalli County.

Brett Pritchard was the first suspect to admit being involved in the explosives theft. He admitted that in the early morning hours of April 22, 2007, after a night of drinking alcohol, he, Cory, and Donald Casterline drove to the Sweathouse Creek explosive magazine, and with the use of Brett's Ford Ranger pickup and vehicle tow-ropes/chains, were able to defeat the double locked door of the magazine and steal the entire explosive contents of the magazine. The stolen explosives were stored at Brett's residence. Brett then explained that on April 22, 2007, CASTERLINE came to Brett's residence and removed some of the stolen explosives.

Cory Pritchard eventually confessed to his part in the theft of the explosives also. He informed investigators that some of the stolen explosives were stored in his bedroom at a house he was sharing with his cousin Brett, KERSHAW and another individual.

On April 25, 2007, Ravalli County Sheriff's Office investigators secured the residence of Brett and Cory Pritchard for an eventual execution of a search warrant in an effort to recover the stolen explosives. While at the Pritchards' residence, law enforcement officers interviewed one of the roommates. The roommate advised law enforcement that in fact, five individuals were involved in stealing the explosives: Brett Pritchard, Cory Pritchard, Donald Casterline, Levi Kershaw and Mike Wilson. Law enforcement recovered stolen explosives from Cory Pritchard's bedroom and a crawl space of the home.

On April 25, 2007, WILSON called the Ravalli County Sheriff's Office and advised that he wanted to cooperate with investigators. He advised the officers that he was in possession of some of the stolen explosives. A search of WILSON'S vehicle by the Ravalli County Sheriff's Office secured additional stolen explosives.

On April 26, 2007, Ravalli County Sheriff's officers and an ATF agent conducted interviews of WILSON and KERSHAW. They both confessed to being present and

participating in stealing the explosives from the Sweathouse Creek explosives magazine.

On April 26, 2007, Ravalli County Sheriff's officers interviewed CASTERLINE. During the interview, CASTERLINE admitted his participation in stealing explosives from the Sweathouse Creek explosives magazine and transporting some of the explosives around Ravalli County. Law enforcement officers executed a search warrant on his vehicles and recovered additional stolen explosives.

Brett Pritchard and Cory Pritchard pled guilty to federal charges and have been sentenced.

Assistant U.S. Attorney Kris A. McLean prosecuted the case for the United States.

The investigation was a cooperative effort between the Ravalli County Sheriff's Office, the Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Lewis and Clark County Sheriff's Office.

STANLEY DAUENHAUER

STANLEY DAUENHAUER, age 58, was sentenced to a term of:

- Prison: 33 months, consecutive to a state sentence
- Special Assessment: $100
- Supervised Release: 3 years

DAUENHAUER was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm and ammunition.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On September 13, 2005, DAUENHAUER was sentenced for a charge of criminal possession of dangerous drugs and was on supervised probation with the Montana Department of Corrections.

During this time period, the City/County Special Investigations Unit obtained information that DAUENHAUER was selling drugs from his residence in Billings. When advised by law enforcement of this, DAUENHAUER'S supervising probation officer decided to conduct a home visit and probation search.

On December 21, 2005, officers with Montana Probation and Parole conducted a search of DAUENHAUER'S home in Billings. On the outside of the residence as they approached, the officers observed surveillance cameras. DAUENHAUER took a lengthy amount of time to answer the door when they knocked. When they did enter,

they discovered two firearms in different places, approximately 16 grams of methamphetamine, approximately $3,500 in cash, about 130 grams of marijuana and numerous items of drug paraphernalia, including scales and baggies, commonly used in the packaging and preparation for sale of dangerous drugs.

The two firearms were identified as Hi-point Model C9 9mm semi-automatic pistols and both were loaded.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the City/County Special Investigations Unit in Billings, the Montana Probation and Parole, and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

JESSEY LEE CHARLES DECELLES

JESSEY LEE CHARLES DECELLES, a 19-year-old resident of Lincoln and Great Falls, was re-sentenced to a term of:

- Prison: 8½ months, time served
- Special Assessment: $100
- Supervised Release: 3 years

DECELLES was re-sentenced in connection with his guilty plea to possession of stolen firearms after his original sentence was appealed to the Ninth Circuit Court of Appeals. The sentence was reversed and remanded back to U.S. District Court for re-sentencing.

Assistant U.S. Attorney Paulette S. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Lewis and Clark County Sheriff's Office and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

SCOTT JOHN DELONGCHAMP

SCOTT JOHN DELONGCHAMP, a 49-year-old resident of Missoula, appeared for sentencing. DELONGCHAMP was sentenced to a term of:

- Prison: 50 months
- Special Assessment: $100
- Supervised Release: 3 years

DELONGCHAMP was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have

proved at trial the following:

On May 2, 1997, DELONGCHAMP was convicted of conspiracy to distribute heroin in the United States District Court for the District of Montana in Missoula.

On April 19, 2006, deputies from the Missoula County Sheriff's Office and officers from Montana Probation and Parole shared information regarding DELONGCHAMP, who had two outstanding arrest warrants. A probation officer spoke to an associate of DELONGCHAMP who advised that she knew where DELONGCHAMP was currently staying and where he could be found. She also advised that she had been with DELONGCHAMP earlier that day and that they had been drinking. She further advised that DELONGCHAMP lived in a small camper, was armed with a handgun which he took with him everywhere, and that he had been "shooting-up" earlier that day. She stated that the small camper was located near Clinton.

Based on the information received, officers went to DELONGCHAMP'S camper in Clinton to serve the arrest warrants. When officers opened the door to his camper, they located seated on a bench DELONGCHAMP injecting drugs into his arm. An officer commanded DELONGCHAMP to put his hands in the air and to stand up. The officer then entered the camper and found a small handgun on the bench where DELONGCHAMP had been sitting. The handgun was a loaded Helwan 9mm semi-auto pistol.

On April 25, 2006, DELONGCHAMP was interviewed. He admitted that the firearm located under his leg at the time of his arrest was possessed and owned by him. He also admitted that he was injecting heroin into his arm at the time of his arrest. He further admitted to being a heroin addict.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Missoula County Sheriff's Office, the Montana Probation and Parole, and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

DION PAUL DOMINGUEZ

DION PAUL DOMINGUEZ, a 23-year-old resident of Missoula, was sentenced to a term of:

- Prison: 48 months
- Special Assessment: $100
- Supervised Release: 3 years

DOMINGUEZ was sentenced in connection with his guilty plea to being a felon-in-possession.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 4, 2004, DOMINGUEZ was convicted of felony sexual intercourse without consent in Missoula County.

On February 22, 2006, DOMINGUEZ signed a firearms regulations form where he acknowledged that he was prohibited from possessing or acquiring a firearm or ammunition.

On June 22, 2006, DOMINGUEZ signed a conditions of intensive supervision program form whereby he also acknowledged he would not own, possess, or be in control of any firearms.

On November 3, 2006, J.H. reported that two firearms and jewelry had been stolen from his residence in Huson. The stolen rifles were a Ruger 7mm rifle and a .270 rifle.

On July 7, 2006, DOMINGUEZ pawned the stolen Ruger rifle at a pawnshop in Missoula.

On March 13, 2007, DOMINGUEZ was interviewed and stated that D.S. had asked him to pawn two rifles, as D.S. had no personal identification. They went to two separate pawn shops together where DOMINGUEZ pawned the rifles. DOMINGUEZ denied knowing that the rifles were stolen, but stated he knew D.S. had a previous history of car theft and residential burglary.

On March 28, 2007, D.S. was interviewed and admitted committing the burglary of J.H.'s residence in which he stole two rifles. He also admitted he was with DOMINGUEZ when DOMINGUEZ pawned the Ruger rifle and that he had asked DOMINGUEZ to pawn the rifle as he had lost his identification. They received $200, which they shared equally. He also stated that either he or DOMINGUEZ sold the other rifle to an unidentified person.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

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

JUSTIN LEE FERGUSON

JUSTIN LEE FERGUSON, a 25-year-old resident of Billings, was sentenced to a term of:

- Prison: 30 months
- Special Assessment: $100

- Supervised Release: 3 years

FERGUSON was sentenced in connection with his guilty plea to making a false statement during a firearms purchase.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On February 18, 2004, FERGUSON was convicted of possession of a controlled substance with intent to deliver in Crook County, Wyoming.

On March 19, 2004, FERGUSON signed the conditions of probation form advising him he was not allowed to own, purchase or possess a firearm. He absconded on July 14, 2004, and a bench warrant subsequently was issued for his arrest.

On March 17, 2007, FERGUSON went to the "Big Guns" booth at the M.O.R.E. show in Billings and attempted to buy a S&W 9mm pistol. "Big Guns" is a dealer located in Red Lodge. On the 4473 Firearms Transaction Record Form, FERGUSON answered "NO" at line 11(c), where he was asked if he had ever been convicted of a felony. The FBI National Instant-Background Check System (NICS) denied the transaction. When the store owner told FERGUSON of the denial, FERGUSON asked, "What if my friend came in and bought this firearm for me?" The store owner replied, "That would be illegal." FERGUSON left.

The FBI NICS personnel referred the investigation to the Bureau of Alcohol, Tobacco, Firearms and Explosives. Personnel at the store identified FERGUSON as the person who made the false statement on the form.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

STEVEN FIREMOON

STEVEN FIREMOON, a 19-year-old resident of Poplar, was sentenced to a term of:

- Prison: 18 months
- Special Assessment: $100
- Restitution: $180
- Supervised Release: 3 years

FIREMOON was sentenced in connection with his guilty plea to possession of stolen firearms.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On October 6, 2007, FIREMOON and two juveniles broke into T.K.'s garage in Poplar to vandalize some of T.K.'s property. While in the garage, they observed a green gun case and decided to steal it. They placed the gun case into a wagon and pushed it away. Later, using a crow bar to open the gun case, they discovered four firearms - two pistols and two rifles. They took the pistols to FIREMOON'S house and hid the rifles near a grain bin. After dark, they retrieved the rifles and took all the firearms to the juveniles' residence.

When apprehended, one juvenile helped the criminal investigators recover the four stolen firearms from various locations within the house where the two juveniles resided. The .357 pistol was in a bucket in the juvenile's bedroom, the .30-.30 rifle was in the attic, the .270 rifle was under a dresser, and the .22 pistol was in the kitchen trash can. The second juvenile helped with the location of the .22 pistol.

When interviewed by law enforcement, FIREMOON admitted to his participation in the theft of the firearms.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Fort Peck Tribes Criminal Investigation Division and the Federal Bureau of Investigation.

JERROD HENRY FISTER, GUY ERIC WALDRON
and WAYNE LEROY WALDRON JR.
(FISTER, WALDRON & WALDRON)

JERROD HENRY FISTER, a 31-year-old resident of the Kalispell/Libby area, GUY ERIC WALDRON, age 30, and WAYNE LEROY WALDRON JR., age 39, residents of Libby, appeared for sentencing.

FISTER was sentenced to a term of:

- Probation: 5 years
- Special Assessment: $100
- Supervised Release: 5 years

GUY WALDRON was sentenced to a term of:

- Prison: 24 months
- Special Assessment: $100
- Supervised Release: 3 years

WAYNE WALDRON was sentenced to a term of:

- Prison: 70 months
- Special Assessment: $100
- Supervised Release: 3 years

They were sentenced in connection with their guilty pleas to being unlawful users of controlled substances in possession of firearms.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On November 11, 2007, the Lincoln County Sheriff's Office (LCSO) received a report of a residential burglary in Libby. Several firearms were stolen, including a Winchester 12 gauge shotgun, which was subsequently recovered from FISTER.

On November 28, 2007, a Montana State Probation and Parole officer requested assistance on a probation warrant. Law enforcement went to a motel in Libby to look for the probation absconder. The probationer was not located, but FISTER and his girlfriend were located in the room. FISTER admitted he had been smoking marijuana in the room and produced marijuana and a pipe. FISTER also admitted to being a methamphetamine user and that he had used a lot of methamphetamine in the past year.

FISTER consented to a search of the motel room and admitted there was a .44 magnum revolver on the stand next to the window. He purchased it from an ad in the "Mountain Trader" magazine. A 12 gauge shotgun was also located during the search. FISTER stated he bought the shotgun from GUY WALDRON, who also offered to sell him methamphetamine.

It was determined the shotgun was stolen in the Libby residential burglary. WAYNE WALDRON subsequently admitted to the burglary in which this shotgun and several other firearms were stolen and stated he gave the firearms to his brother, GUY WALDRON.

FISTER'S girlfriend stated that GUY WALDRON carried the shotgun into the motel room, tossed it on the bed, and told FISTER, "there's your gun."

On November 29, 2007, GUY WALDRON whispered to FISTER that the shotgun "should be cool and not reported yet."

On approximately November 26, 2007, GUY WALDRON had loaned a vehicle to FISTER and the vehicle was impounded on November 28, 2007. On December 13, 2007, GUY WALDRON met with officers to pick up the vehicle. Officers observed a revolver in a holster laying in plain view on the dash of GUY WALDRON'S pickup.

On December 6, 2007, a search warrant was obtained at the motel where WAYNE WALDRON was staying. During the search, firearms were located. During a search of WAYNE WALDRON'S vehicle, a glass pipe was recovered.

During the course of serving an arrest warrant on WAYNE WALDRON, GUY WALDRON arrived and told detectives that WAYNE WALDRON committed several burglaries. GUY WALDRON denied going into any of the homes with his brother but admitted to selling some of the stolen property his brother had given to him. The detective noticed a Ruger pistol lying on GUY WALDRON'S dashboard. GUY WALDRON told the detective he carried the pistol with him everywhere he went.

The same day, officers went to the residence of B.P. to secure a truck believed to have been used in multiple burglaries by WAYNE WALDRON. B.P. consented to a search of her residence. A tool box containing drug paraphernalia was located. GUY WALDRON admitted this tool box belonged to him.

During August 13-22, 2007, GUY WALDRON was incarcerated and admitted to officers he used methamphetamine, but only a couple of times.

Officers spoke to J.B. multiple times during the fall of 2007. J.B. stated GUY WALDRON offered to sell him methamphetamine on multiple occasions. On one occasion, J.B. stated he saw GUY WALDRON with three 8-balls of methamphetamine.

On December 7, 2007, WAYNE WALDRON admitted to committing several burglaries in Lincoln and Sanders Counties. On December 11, 2007, and December 13, 2007, WAYNE WALDRON told officers his brother, GUY WALDRON, and GUY WALDRON'S girlfriend were accomplices. WAYNE WALDRON also stated he had given most of the stolen firearms to his brother GUY WALDRON, who had in turn sold them.

On December 14, 2007, WAYNE WALDRON told officers he believed GUY WALDRON sold the stolen firearms to eight various people and that J.S. should have most of the stolen firearms from the Libby residential burglary.

Several individuals would have testified to purchasing firearms from GUY WALDRON.

FISTER is a long-time user of both marijuana and methamphetamine. His drug use was verified by his own admissions to law enforcement as well as collateral witnesses.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Lincoln County Sheriff's Office, the Montana Probation and Parole, and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

CHAD RAE FRANKLIN

CHAD RAE FRANKLIN, a 29-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 105 months
- Special Assessment: $ 100
- Supervised Release: 3 years

FRANKLIN was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On November 6, 2007, Great Falls Police Officers responded to a suspicious person complaint. A 911 caller reported someone was "rattling" the locked front door of her residence. The caller looked out the window where she saw a white male wearing a dark baseball cap walking past the window. She went outside and saw the same male inside her car. She confronted the male and he left quickly westbound in the alley. The caller noted about ten music CD's were missing from her vehicle.

Officers checked the area for the suspect and saw two people standing near a green metal dumpster in the 1000 block of 2nd Alley North. Officers illuminated them with a car spotlight and saw a male and female both looking back at the officers. The male fled westbound and officers could see he had an illuminated head lamp making him visible as he fled eastbound onto 1st Avenue North. Officers gave chase and the female, who was wearing a yellow and black jacket, walked a short distance to the nearby Loaf and Jug where she was contacted by law enforcement.

The male was found hiding in a garden type shed in a back yard. The male was wearing a dark baseball cap and dark clothing and matched the description of the suspect given by the 911 caller. The male identified himself as CHAD FRANKLIN.

Officers found a black bag containing various items of personal property near a garbage can in the 1000 block of 2nd Alley North. The items did not appear to be garbage and inside was a black case containing three handguns and ammunition. An individual responded to the Police Department and identified some of the property in the bag as his, including the handguns. The individual advised all of the property had been in his vehicle which he did not believe had been damaged. The individual lived approximately forty feet from where FRANKLIN was captured.

FRANKLIN waived his right to counsel and answered questions. FRANKLIN was advised of the positive identification made by the 911 caller and he admitted he entered her car and stole some CDs. FRANKLIN said the large black bag found by Officers

near the dumpster was his and he had brought it along to carry the stolen property. FRANKLIN advised he broke into three or four cars and stole various items including CDs and money. FRANKLIN admitted he stole the three handguns from a vehicle in the same area. Officers took FRANKLIN back out in a patrol car and FRANKLIN pointed out the cars which he had entered, one of which was the individual's vehicle who responded to the police department.

The United States would prove FRANKLIN was convicted of crimes punishable by imprisonment for a term exceeding one year under the laws of Montana. The crimes are: burglary, a felony, docket number DC-06-17, Mussellshell County, Montana, conviction date May 24, 2007; and burglary, a felony, docket number DDC-06-358, Cascade County, Montana, conviction date April 12, 2007. As a result of these convictions, FRANKLIN is a prohibited person under 18 U.S.C. § 922(g).

The United States would prove that the weapons and ammunition referred to in Count I are a Phoenix Arms .22 caliber pistol serial number 4155707; a Hi Point nine millimeter pistol serial number P098161; a VZOR .32 caliber pistol serial number 695469 and 150 rounds of .22 caliber ammunition all of which the United States would prove was manufactured outside the state of Montana and transported into the state by interstate commercial carriers.

Special Assistant U.S. Attorney Kory Larsen prosecuted the case for the United States.

The investigation was conducted by a cooperative effort between the U.S. Immigration and Customs Enforcement, the Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Great Falls Police Department.

DALE LEO GLADUE

DALE LEO GLADUE was re-sentenced to a term of:

- Prison: 70 months
- Special Assessment: $300
- Supervised Release: 3 years

GLADUE was re-sentenced in connection with his guilty plea to possession of stolen firearms after his original sentence was appealed to the Ninth Circuit Court of Appeals. The sentence was reversed and remanded back to U.S. District Court for re-sentencing.

Assistant U.S. Attorney Carl Rostad prosecuted this case for the United States.

The investigation was a cooperative effort between Alcohol, Tobacco, Firearms and Explosives and the Central Montana Drug Task Force.

MARCKUS JAMES GOVE

MARCKUS JAMES GOVE, a 21-year-old resident of Great Falls, appeared for sentencing. GOVE was sentenced to a term of:

- Prison: 21 months, consecutive to another sentence
- Special Assessment: $100
- Forfeiture: 9mm handgun
- Supervised Release: 3 years

GOVE was sentenced in connection with his guilty plea to being in possession of a firearm while under information for a felony offense.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On May 16, 2006, an Information was filed in the Montana Eighth Judicial District, Cascade County, charging GOVE with failure to return rental property, a felony. GOVE was arrested on that charge on June 8, 2006, and appeared before the court for his arraignment on July 6, 2006. As of October 30, 2006, the date GOVE purchased the firearm, that case was still pending.

On October 30, 2006, Great Falls Police Department officers responded to the Hampton Inn in Great Falls on a report that drugs were found in a hotel room. Investigators learned that the room had been occupied by GOVE.

When interviewed, GOVE admitted that two and half weeks earlier, he purchased a 9mm pistol from a friend. GOVE met with a Great Falls Police detective and gave him a Hi-Point, Model C9, 9mm semi-automatic pistol.

On November 2, 2006, detectives interviewed an individual referred to here as “P.G.” During the interview, “P.G.” admitted to selling this pistol to GOVE for $350 several days prior to the interview. “P.G.” provided detectives with a written receipt for the sale of the firearm to GOVE dated October 30, 2006.

As of October 30, 2006, the date GOVE purchased the firearm, the aforementioned case was still pending.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was a cooperative effort between, the U.S. Immigration and Customs Enforcement, the Great Falls Police Department, and the Central Montana Drug Task Force.

MICHAEL WAYNE GRAY

MICHAEL WAYNE GRAY, a 39-year-old resident of Great Falls, appeared for sentencing. GRAY was sentenced to a term of:

- Prison: 16 months, concurrent with another sentence
- Special Assessment: $100
- Supervised Release: 2 years

GRAY was sentenced in connection with his guilty plea to providing ammunition to a known convicted felon.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On December 15, 2006, using a confidential informant, agents of the Central Montana Drug Task Force (CMDTF), bought a small amount of marijuana from Curtis Graham.

On December 19, 2006, a CMDTF agent met again with the informant regarding marijuana to be delivered to the informant's residence. The informant placed two recorded telephone calls to GRAY, arranging the sale of a pound of marijuana to be conducted that evening.

Later on December 19, 2006, Graham was observed by CMDTF agents entering the informant's residence. Shortly after Graham arrived, agents observed GRAY arrive at the residence driving a silver Ford Taurus, Montana license plate, "MR GRAY."

CMDTF agents then confronted Graham. Graham advised officers that he was armed with a loaded 9mm pistol in his waistband. One of the agents retrieved the firearm, a Taurus Model PT-92AF, 9mm handgun, and ammunition from Graham and placed him under arrest.

Graham provided a statement to CMDTF agents regarding the marijuana purchase and the firearm located on his person. According to Graham, the firearm was purchased by GRAY at a pawn shop in Great Falls. Graham stated that he and GRAY discussed bringing the firearm to the narcotic transaction and that GRAY purchased ammunition at Wal-Mart that same day. CMDTF agents were able to obtain surveillance video from Wal-Mart which displayed GRAY purchasing ammunition on December 19, 2006. A receipt for this 100 count 9mm ammunition was located in Graham's front pocket during a search of Graham. During a search of GRAY'S residence, agents found a box of 9mm ammunition and recovered several rounds from the firearm taken from Graham.

On December 28, 2002, Graham was convicted of forgery, a felony crime, in the State of Missouri. Graham would have testified that GRAY knew that he was a convicted felon and that is the reason GRAY bought the ammunition. GRAY also admitted that

he knew Graham was a convicted felon prior to giving Graham the ammunition.

GRAY admitted giving ammunition to Graham under oath and in open court on two occasions.

Graham pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was a cooperative effort between the Central Montana Drug Task Force and the U.S. Immigration and Customs Enforcement.

DAVID JOHN GUNSCH

DAVID JOHN GUNSCH, a 39-year-old resident of Helena, appeared for sentencing. GUNSCH was sentenced to a term of:

- Prison: 37 months, concurrent with another sentence
- Special Assessment: $100
- Community Service: 100 hours
- Supervised Release: 3 years

GUNSCH was sentenced in connection with his guilty plea to being a felon-in-possession of firearms.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On June 6, 2003, GUNSCH was convicted of felony assault with a weapon in Lewis & Clark County. At the sentencing for his state felony conviction, the judge informed GUNSCH that he could not possess firearms. At a hearing when his suspended sentence was amended, GUNSCH was again advised that he could not possess firearms. GUNSCH also signed a state Department of Corrections notice on firearms and initialed a probation document that warned against possessing firearms.

On March 17, 2007, Lewis and Clark County Sheriff's deputies responded to a domestic violence report concerning GUNSCH and his fiancee in East Helena. The deputy sheriffs interviewed GUNSCH, who was intoxicated, in front of his home.

During a search of GUNSCH'S home, deputies found two rifles in cases underneath several sleeping bags in a storage area beneath a window seat. The rifles were a Remington model 700 .243 caliber and a Tikka model M695 .270 caliber. When questioned, GUNSCH admitted that the rifles were his. A firearms trace revealed that both rifles had been purchased by GUNSCH.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between Montana Probation and Parole, the Lewis and Clark County Sheriff's Office, and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

MICHAEL ROY GUSHWA

MICHAEL ROY GUSHWA was sentenced to a term of:

- Prison: 24 months
- Special Assessment: $100
- Supervised Release: 3 years

GUSHWA was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In 2002, GUSHWA was convicted of felony operation of a clandestine lab in Cascade County. As a result of this conviction, GUSHWA is prohibited from possessing firearms.

On February 8, 2008, GUSHWA was a passenger in a vehicle stopped for failing to use its turn signal. After initially giving a false name, GUSHWA was identified and admittedP he had knowledge of a probation warrant for his arrest. The officer confirmed the warrant and then placed GUSHWA under arrest. During a search incident to the arrest, the officer found a Pietro Beretta nine millimeter semiautomatic pistol with the serial number removed under GUSHWA'S coat in a holster on his hip. The firearm was loaded with fifteen rounds of ammunition.

Special Assistant U.S. Attorney Kory Larsen prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

BRADFORD HALVORSEN

BRADFORD HALVORSEN, a 25-year-old resident of Billings, was sentenced to a term of:

- Prison: 30 months, consecutive to another sentence
- Special Assessment: $100
- Supervised Release: 3 years

HALVORSEN was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 28, 2001, HALVORSEN was sentenced for felony theft in the Thirteenth Judicial District Court of Montana. Following violations of his probation, HALVORSEN was sent to Montanan State Prison and eventually was discharged to probation again in 2005.

While on supervision in June of 2006, HALVORSEN failed to check in with his probation officer and a home visit was attempted. On June 6, 2006, officers with Probation and Parole went to HALVORSEN'S residence at to look for him. After several attempts to get someone to answer the door, a women answered the door. She provided a suspicious explanation for the delay in answering the door and was ambiguous about whether HALVORSEN was present. The two officers then entered the residence through different entrances and one of the officers eventually found HALVORSEN hiding in a closet. The officer ordered HALVORSEN at gunpoint to go to the floor. HALVORSEN did not. When the second officer arrived as cover, the first officer holstered his weapon and directed HALVORSEN to the ground. Once the residence was secured, the officers searched and located numerous items of drug paraphernalia.

In addition, one of the officers observed a t-shirt in the fireplace. He grabbed the t-shirt and located a .357 revolver wrapped inside. The firearm was identified as an FIE Arminius HW 357, .357 caliber revolver.

On June 30, 2006, during a probation revocation hearing, HALVORSEN admitted to having been in possession of the firearm.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Montana Probation and Parole and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

RAYMOND HANSEN

RAYMOND HANSEN, a 26-year-old resident of Sidney, was sentenced to a term of:

- Prison: 12 months and 1 day
- Special Assessment: $100
- Fine: $5,000
- Supervised Release: 3 years

HANSEN was sentenced in connection with his guilty plea to possession of a firearm by an unlawful user or addict of a controlled substance.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On October 26, 2006, a citizen called in to the Wibaux County Sheriff's Office that a male was sitting in a truck in the road and had been there all morning. The caller stated the male was tossing a gun back and forth and was acting strangely. Several deputies and Montana Highway Patrol (MHP) officers arrived at the scene to contact the driver, who was thought to be HANSEN, a person they knew to be a methamphetamine user and potentially dangerous.

A MHP officer arrived and observed a truck partially in the traffic lane near a hill. He saw a single male unconscious inside the truck. This male was identified as HANSEN. An ambulance arrived on scene in the event of an emergency as the officers feared HANSEN may have suffered a drug overdose. Officers approached the truck cautiously because they knew HANSEN was a methamphetamine user and had made threatening comments toward local law enforcement. As one MHP officer approached the driver's side, another MHP officer approached the passenger's side. The officers observed a rifle on the front seat near HANSEN. The officers removed HANSEN from the truck and brought him to the rear. HANSEN seemed disoriented as to time and place, was fidgeting and acting strangely. When HANSEN was searched, methamphetamine-related drug paraphernalia was recovered and he was handcuffed.

While being transported to jail for possession of drug paraphernalia, HANSEN stated that he had used methamphetamine since high school. HANSEN said "it would scare you" if he knew how much he used. HANSEN also stated that he had used cocaine, heroin, and marijuana. At the jail, his blood sample tested positive for amphetamine, methamphetamine and THC.

When his truck was searched, four firearms and several items of drug paraphernalia were seized. The firearms recovered were: a Safari Arms Model Master Carry Competition .45 caliber semi-automatic pistol; a Ruger New Model Blackhawk .357 caliber revolver; a Ruger Model M77 .22-250 caliber rifle; and a FN Herstal Model Five Seven 5.7x28mm semi-automatic pistol.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Wibaux County Sheriff's Office, the Montana Highway Patrol, and the Eastern Montana Drug Task Force.

JASON HARRIS

JASON HARRIS, a 23-year-old resident of Havre, was sentenced to a term of:

- Prison: 16 months
- Special Assessment: $100
- Supervised Release: 3 years

HARRIS was sentenced in connection with his guilty plea to making a false statement during a firearm transaction.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On January 30, 2007, Tri-Agency Safe Trails Task Force agents executed a search warrant at HARRIS' house in Box Elder. A Ruger .22 caliber rifle was recovered from between the mattress and box springs of HARRIS' bed. The officers also located marijuana (approximately 95 grams packaged in 1/8 ounce packages) and drug paraphernalia.

During an interview later the same day, HARRIS admitted to ownership and possession of the firearm. HARRIS also admitted to long-term use of marijuana. He stated that he had used 1/8 of an ounce every day or two since he was a juvenile - at least five years.

HARRIS admitted that on October 31, 2006, he went to Strombergs Sinclair & Hunt Sports in Havre and filled out an ATF Form 4473 when he purchased the Ruger .22 caliber rifle. On the form, HARRIS denied that he was an unlawful user of, or addicted to, marijuana, or any depressant, stimulant, or narcotic drug, or any other controlled substance by writing, "no" to question 11e. By this answer, the employee at Strombergs Sinclair & Hunt Sports proceeded with selling HARRIS the rifle. HARRIS further admitted that had he truthfully completed the form, he would not have received the firearm.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was conducted by the Tri-Agency Safe Trails Task Force.

ROBERT ORVILLE HERBAUGH

ROBERT ORVILLE HERBAUGH, a resident of Missoula County, was sentenced to a term of:

- Prison: 37 months
- Special Assessment: $100
- Supervised Release: 3 years

HERBAUGH was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 29, 2005, HERBAUGH was convicted of failure to register as a sex offender, a felony, in the Fourth Judicial District Court, Missoula County, State of Montana.

On December 29, 2005, HERBAUGH was in possession of five firearms while on felony supervision. Montana Probation and Parole officers received a complaint that HERBAUGH possessed firearms in his storage shed. During a search of his residence, they recovered two firearms from his residence and three firearms and several rounds of ammunition from his storage shed.

When questioned, HERBAUGH admitted to the possession and ownership of all five firearms.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Montana Probation and Parole and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

MARK HEIMER

MARK HEIMER, a resident of Absarokee, was sentenced to a term of:

- Prison: 15 months
- Special Assessment: $100
- Supervised Release: 2 years

HEIMER was sentenced after having been found guilty during a 1-day trial of making a false statement during a firearm acquisition.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

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

JESSE LEE HOPKINS

JESSE LEE HOPKINS, a 22-year-old resident of the Bozeman/Belgrade area, was sentenced to a term of:

- Prison: 37 months, concurrent with a state sentence
- Special Assessment: $200
- Supervised Release: 3 years

HOPKINS was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm and theft from a federal firearms licensee.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On January 16, 2007, HOPKINS was convicted of felony theft in Montana's Eighteenth Judicial District Court in Gallatin County.

On March 1, 2007, HOPKINS walked into Yellowstone Gateway Sports, a federal firearms licensee. HOPKINS then walked out of the store with a Bellini 12 gauge shotgun without paying for it. The shotgun was recovered later the same day when HOPKINS attempted to rob a nearby casino.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Gallatin County Sheriff's Office, Montana Probation and Parole, and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

HAROLD HOPPE

HAROLD HOPPE, age 25, was sentenced to a term of:

- Prison: 14 months
- Special Assessment: $200
- Supervised Release: 3 years

HOPPE was sentenced in connection with his guilty plea to possession of stolen firearms and theft of firearms from a federal licensee.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 31, 2008, HOPPE began working at MT Sports, a federally licensed firearms dealer, at the wholesale level. HOPPE began to work in the warehouse stocking firearms as a temporary employee.

On March 31, 2008, HOPPE logged into the computer system to stock several handguns. According to the computer system, HOPPE reported to have stocked ten model R35202 revolvers.

On April 9, 2008, another employee found one box to be empty when the employee retrieved the item to be transferred. The firearm that was supposed to be in the container a Rossi, Model R35202, .38 special caliber revolver. The firearm was

reported stolen and an investigation began. Over succeeding days, additional firearms were reported stolen as well, including a Smith and Wesson, SWV40VE, .40 S&W caliber semi-automatic handgun and an FNH, FNP9, 9mm semi-automatic handgun.

On April 16, 2008, ATF agents interviewed personnel from MT Sports and HOPPE was identified as a suspect in the theft of multiple handguns. Investigation of computer logs confirmed HOPPE'S presence and access to the stolen guns. Agents went to residences looking for HOPPE. They did not find him, but they did find evidence that indicated HOPPE had the stolen firearms, including pictures. As they continued to look for HOPPE, agents were led to another residence where they discovered bags and other items belonging to HOPPE. They executed a search warrant and recovered two of the stolen firearms, the Rossi and the FNH 9mm. The agents later recovered the Smith & Wesson from a witness.

On April 18, 2008, HOPPE contacted the Billings ATF Field Office. HOPPE indicated he would agree to be interviewed. When interviewed, HOPPE admitted taking the .38 caliber Rossi revolver and the 9mm FNH handgun from MT Sports. Additionally, HOPPE admitted that he received the .40 caliber Smith and Wesson firearm from another person and he believed this gun was also stolen from MT Sports.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Billings Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

BRICE HUTTINGER

BRICE HUTTINGER, a 35-year-old resident of Stockett/Great Falls, was sentenced to a term of:

- Prison: 210 months
- Special Assessment: $100
- Supervised Release: 5 years

HUTTINGER was sentenced in connection with his guilty plea to being an armed career criminal/felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

HUTTINGER had previously been convicted of assault and criminal possession with intent to distribute dangerous drugs in two separate causes. HUTTINGER was on probation which thereby prohibited him from possessing firearms

On December 19, 2007, a Cascade County Sheriff's Office detective received a tip that

HUTTINGER, who was on supervised probation, had recently traded drugs for a firearm.

On December 20, 2007, several law enforcement officers went to HUTTINGER'S residence. They ultimately made contact with HUTTINGER and he admitted that a shotgun and ammunition were in the master bedroom. The officers found a Mossberg shotgun in the bedroom.

HUTTINGER stated that he had received the shotgun from K.T. shortly before Halloween, 2007. HUTTINGER said he traded an ounce of marijuana for the shotgun.

Law enforcement officers later interviewed K.T. He admitted he traded the shotgun to HUTTINGER for marijuana.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement, the Cascade County Sheriff's Office, and the Great Falls Police Department.

SHANE COLE JACKSON

SHANE COLE JACKSON, age 20, was sentenced to a term of:

- Prison: 27 months
- Special Assessment: $100
- Supervised Release: 3 years

JACKSON was sentenced in connection with his guilty plea to possession of a firearm not registered in the National Firearms Registration and Transfer Record.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On August 18, 2006, Billings Police Department officers were sent to a disturbance. The caller said a man and a woman were in a fight and there was a gun present. An officer arrived and met with several people, including the caller. The caller said her son, JACKSON, and his girlfriend were involved in a fight and she had called the police. She said JACKSON fled on foot. A male told the officer that JACKSON told him to throw a gun in the ditch nearby. The male said he had done so.

Officers eventually located a gun in the tall grass. The gun was a sawed-off Remington .870 12 gauge shotgun, with a raggedly cut barrel and a cut off stock. The barrel length was only about 14.25 inches and the overall length about 26.5 inches. The gun had black electrical tape wrapped around the handle. The safety switch was glued in place

to the “fire” position. The serial number was covered by the tape. When the officers uncovered the serial number, dispatch advised that the gun had been reported stolen.

JACKSON was eventually located hiding nearby and arrested. When searched at the jail, a bindle of powder later determined to be methamphetamine was recovered

JACKSON’S girlfriend gave a statement in which she said she and JACKSON were fighting as she drove. She said JACKSON told her to slow down because he had a “felony on his lap.” She asked him what he was talking about and he said he had a gun. She told the officer that before she left, she removed the gun from her backseat and threw it away from the car on the ground. She said she did not want to get into trouble for it. She said she heard JACKSON’S mother exclaim, “JACKSON, you have a gun?” She said she then drove away.

A records check of the National Firearms Registration and Transfer Records found that no firearms were registered to JACKSON.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Billings Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

WILLIAM BILLY DEE JOHNSON

WILLIAM BILLY DEE JOHNSON, age 26, was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $100
- Supervised Release: 3 years

JOHNSON was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On September 3, 2007, Billings Police Department officers responded to a weapons call near Monroe and Jackson streets. While they were there investigating, they heard what sounded to be gunfire, followed by the sounds of tires squealing.

While responding, a 911 caller began reporting there was a fight outside a residence at on S. 38th Street. The caller said one of the subjects had a gun and was walking north into the alley. The caller then said the man got into a maroon SUV. The caller stated that the male was wearing a black t-shirt and chains. Officers arrived and observed a maroon Tahoe with JOHNSON in the driver’s seat. He was wearing a black t-shirt and

a large gold chain around his neck.

As JOHNSON was on felony probation at the time, his probation officer authorized a search of the vehicle. A 9mm pistol was found in a pull-out drawer behind the center console. The serial number on the gun had been obliterated. The gun was identified as a Hi Point C9 and was loaded with 7 rounds of ammunition. JOHNSON had a BAC of .214 and was intoxicated.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Billings Police Department, Probation and Parole, and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

PETER BERNARD JOHNSTON

PETER BERNARD JOHNSTON, a 19-year-old resident of Bozeman, was sentenced to a term of:

- Prison: 12 months and 1 day
- Special Assessment: $100
- Community Service: 100 hours
- Supervised Release: 3 years

JOHNSTON was sentenced in connection with his guilty plea to being an unlawful user of a controlled substance in possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On December 3, 2006, JOHNSTON was found to be in possession of a stolen Springfield 9mm semi-automatic pistol in Bozeman. The pistol was discovered by officers with the Missouri River Drug Task Force while conducting a pre-buy search of JOHNSTON'S vehicle. The officers also recovered a bag of marijuana and a pipe with marijuana residue on JOHNSTON'S person.

On May 8, 2007, JOHNSTON was interviewed and admitted to possessing the stolen 9mm semi-automatic pistol. He stated that the person who stole the firearm took it from a Bozeman sporting goods store. JOHNSTON also admitted that this person had advised him that the firearm had been stolen. JOHNSTON admitted paying $200 for the pistol. JOHNSTON stated that he placed the firearm in his truck under the driver's seat where it was located by the officers. JOHNSTON further admitted to smoking marijuana for at least the year prior to the pistol's recovery and that he smoked one or two bowls per week.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Missouri River Drug Task Force and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

TREVION MAURICE JONES

TREVION MAURICE JONES, a 31-year-old resident of Missoula, was sentenced to a term of:

- Prison: 46 months
- Special Assessment: $100
- Supervised Release: 3 years

JONES was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On April 21, 1998, JONES was convicted of felony possession with the intent to distribute cocaine in federal court in Billings.

On November 30, 2006, officers from the Missoula Police Department responded to the residence to investigate a shooting. The officers interviewed several witnesses, two of whom had observed JONES enter the residence and shortly thereafter heard what sounded like gunfire. They then observed JONES run out of the house and fire several rounds into the residence as he left the scene.

Immediately after the shooting, JONES went to an area residence where he remained until the next afternoon. He then fled the jurisdiction for California, where he was later arrested. JONES left the firearm used in the shooting, a 9 mm Springfield Armory pistol, model P9 at the residence. The owner of the home eventually threw the gun into the Clark Fork River at the Schwartz Creek Fishing Access, where it was recovered by law enforcement in August of 2007.

A ballistics expert from the Montana State Crime Lab analyzed the firearm recovered from the river and the casings seized from the scene of the shooting and concluded that the seized casings were fired from the pistol recovered from the Clark Fork River.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between the Missoula Police Department and the Federal Bureau of Investigation.

JEREMY WADE JORDAN

JEREMY WADE JORDAN, a 27-year-old resident of Helena, was sentenced to a term

of:

- Prison: 34 months
- Special Assessment: $100
- Restitution: $4,078.25
- Supervised Release: 3 years

JORDAN was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

May 16, 2007, in Helena, deputies from the Lewis and Clark County Sheriff's Office conducted a traffic stop on a vehicle occupied by JORDAN and two other individuals. Officers recovered a 9mm pistol from JORDAN'S waistband, as well as a sawed-off shotgun from the vehicle pursuant to a search warrant.

At the time, JORDAN was a convicted felon from the State of Texas for burglary of a habitation.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Lewis and Clark County Sheriff's Office and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

CHRISTOPHER MAURICE JOWERS and DEMETRIUS DMIRAL WARREN (JOWERS & WARREN)

CHRISTOPHER MAURICE JOWERS, age 28, and DEMETRIUS DMIRAL WARREN, age 26, residents of Great Falls (previously of Richmond, California), appeared for sentencing.

JOWERS was sentenced to a term of:

- Prison: 33 months
- Special Assessment: $200
- Supervised Release: 3 years

WARREN was sentenced to a term of:

- Prison: 121 months, consecutive to another sentence
- Special Assessment: $600
- Supervised Release: 3 years

They were sentenced in connection with their guilty pleas as follows:

JOWERS pled guilty to conspiracy to deal firearms without a license and being an unlawful drug user in possession of firearms.

WARREN pled guilty to conspiracy to deal firearms without a license, being an unlawful drug user in possession of firearms, making a false statement during a firearms transaction, and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Between March of 2006 and September of 2006, WARREN, JOWERS, and another individual, hereafter referred to as "Jane Doe", trafficked firearms between Great Falls and Richmond, California. During this time, both WARREN and JOWERS were prohibited persons.

WARREN enlisted four "straw-purchasers" to buy firearms from various stores in Great Falls who possessed and maintained federal firearms licenses. The four "straw-purchasers" were young women from the Great Falls area.

WARREN also purchased two firearms from *Big Bear Sports Center* using the name and Montana driver's license of R.C. without R.C.'s knowledge or permission. After WARREN'S June 20, 2006 purchase of a 9mm pistol from *Big Bear Sports Center* using R.C.'s name and driver's license, WARREN immediately sold the pistol to a cooperating person in the Big Bear parking lot.

During mid-May 2006, WARREN and "Jane Doe" went to California to sell firearms. WARREN sold three guns on this trip for $500 a piece. WARREN and "Jane Doe" returned from California with JOWERS. On June 3, 2006, M.M., a California convicted felon, was arrested by Oakland California police officers with a 9mm pistol that one of the "straw-purchasers" had bought for WARREN on March 30, 2006.

During a party at the end of June 2006 in Great Falls, WARREN and JOWERS posed for pictures with a handgun. JOWERS brought it into the party but told witnesses that the gun belonged to WARREN. WARREN told witnesses that he had a permit for the gun.

On August 2, 2006, WARREN, JOWERS, and "Jane Doe" attempted a second trip to California but it was cut short by their arrest by Nevada Highway Patrol. Three guns were confiscated - two from JOWERS' bag in the trunk and one from "Jane Doe's" purse. R.C.'s identification was recovered from WARREN at this time. Nevada Highway Patrol recovered two 9mm handguns that were purchased earlier the same day by one of the "straw-purchasers."

Testimony would have been provided by several witnesses that WARREN and JOWERS commonly smoked marijuana; bragged about their drug usage as well as their California criminal histories; selling firearms in California and how much money could be made; and that they usually flashed money when they were bragging. In addition, testimony would have been provided that WARREN bragged about his use of "straw-purchasers" to get firearms.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Office of the Inspector General for Malmstrom Air Force Base, the Great Falls Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

TOM LANROSE

TOM LANROSE, a 55-year-old resident of Hawaii (formerly of Hamilton), was sentenced to a term of:

- Home Arrest: 6 months
- Special Assessment: $100
- Probation: 36 months

LANROSE was sentenced in connection with his guilty plea to possession of a sawed-off shotgun.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Law enforcement were advised that LANROSE was growing marijuana at his residence outside of Hamilton. On March 28, 2005, a search warrant was obtained for LANROSE'S residence.

At the residence, police seized marijuana and growing equipment. LANROSE had a door hidden behind a bookshelf that was on wheels. The door led to a hidden room that contained a large diesel tank and growing lights. Concealed in the room were an SKS assault rifle and a significant amount of ammunition. Hidden elsewhere were other guns and ammunition.

The sawed-off shotgun, a Winchester 12-gauge short barrel shotgun containing live ammunition, was found under a window in the master bedroom of the house. The window provided a second story view of the roadway leading into the neighborhood and to the only driveway to the residence.

The barrel of the shotgun was 16 inches long. A shotgun must be lawfully registered if its barrel is less than 18 inches. The barrel and stock of the shotgun appeared to have

been altered, and a flashlight was mounted on top of the barrel.

No registration of the shotgun by LANROSE was found during a review of the National Firearms Registration and Transfer Record.

Assistant U.S. Attorney Eric B. Wolff prosecuted the case for the United States.

The investigation was a cooperative effort between the Ravalli County Sheriff's Office and the Federal Bureau of Investigation.

MICHAEL EDWARD LAWRENCE, JR.

MICHAEL EDWARD LAWRENCE, JR., a 27-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $100
- Supervised Release: 3 years

LAWRENCE was sentenced in connection with his guilty plea to possession of firearms in furtherance of a drug-trafficking offense.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In January of 2006, agents of the Montana Division of Criminal Investigation (DCI) began to investigate LAWRENCE for distributing marijuana in Great Falls.

On August 16, 2006, the DCI purchased approximately one pound of marijuana from R.K. R.K. was arrested and admitted that LAWRENCE supplied the marijuana to him.

The officers then obtained a search warrant for LAWRENCE'S residence. In the residence, they recovered approximately six pounds of marijuana, $5,842 in U.S. currency, and several firearms. The firearms included a Romainia made, Model WASR-10, 7.62 x 39mm semi-automatic rifle; a Smith & Wesson, Model 629-1, .44-magnum 6-shot revolver; and a Browning, Model Buckmark, .22-caliber semi-automatic pistol. The .44 caliber pistol was found in a duffle bag which contained multiple pounds of marijuana.

When interviewed following the search, admitted that during a time period which included August, 2006, he distributed marijuana through two "runners," including R.K. LAWRENCE stated that he would give ounces of marijuana to R.K., who would then distribute the marijuana to lower level customers. R.K. would return the money from the sales to LAWRENCE.

LAWRENCE stated that he feared that a particular individual would rob his marijuana, so he obtained the .22 caliber pistol and the .44 caliber pistol to protect his drugs from such a robbery. LAWRENCE further stated that he put the .44 caliber pistol in with the marijuana as part of that plan.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the Montana Division of Criminal Investigation and the U.S. Immigration and Customs Enforcement.

TYSON WAYNE LIEBMAN

TYSON WAYNE LIEBMAN was sentenced to a term of:

- Prison: 46 months
- Special Assessment: $125
- Supervised Release: 3 years

LIEBMAN was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm and littering on public lands.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On November 18, 2006, LIEBMAN was on supervision with the Montana Department of Corrections for a 2004 State of Montana District Court possession of dangerous drugs with intent to distribute conviction.

On November 18, 2006, LIEBMAN and two others entered the public shooting area on BLM land located near mile marker 17 on Highway 87. A BLM ranger contacted the three occupants as they entered the area and advised them that shooting restrictions were in effect and that they needed to collect their fired brass and targets when they were done shooting. The ranger observed the trio drive to the west end of the shooting area and set up. The ranger then observed LIEBMAN shoot two different firearms, a rifle and a shotgun.

When the three were done shooting, the ranger observed them leaving the area without picking up the spent shell casings. When the ranger stopped their vehicle, he identified the occupants and learned that LIEBMAN was a convicted felon and on supervision with the Montana Department of Corrections. A probation and parole officer requested that the ranger place LIEBMAN under arrest and transport him to jail for possession of the firearms. The ranger also issued Liebman a CVB citation for littering.

The ranger collected two firearms as evidence, a Romarm S.A./Cugir 5.45 x 39 mm rifle and a Mossberg 500A 12 ga. shotgun.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Bureau of Land Management Law Enforcement and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

GENE EDWARD LUCAS

GENE EDWARD LUCAS, a resident of Great Falls, was sentenced to a term of:

- Prison: 33 months
- Special Assessment: $100
- Supervised Release: 3 years

LUCAS was sentenced after having been found guilty during a 1-day trial of being a armed career criminal/felon-in-possession of a firearm.

Special Assistant U.S. Attorney Kory Larsen prosecuted the case for the United States.

The investigation was a cooperative effort between the Great Falls Police Department, the U.S. Immigration and Customs Enforcement, and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

ROBERT THOMAS MARTINEZ

ROBERT THOMAS MARTINEZ, age 23, was sentenced to a term of:

- Prison: 50 months
- Special Assessment: $100
- Supervised Release: 3 years

MARTINEZ was sentenced in connection with his guilty plea to possession of an unregistered firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On November 16, 2006, Big Horn County Sheriff's deputies were sent to a residence in Hardin in response to a reported disturbance. Upon arriving, they located MARTINEZ and others outside. The deputies observed that MARTINEZ had the appearance of someone who had been in an altercation and he appeared injured. MARTINEZ said his shoulder was hurt and he asked if he could go inside. MARTINEZ invited a deputy to accompany him.

A deputy went inside with MARTINEZ and observed illegal drugs in plain view. The residence was then secured until a search warrant could be obtained and executed.

More drug paraphernalia and a Stevens Model 67 20 ga. sawed-off shotgun with a sawed-off barrel length of about 14 inches were recovered during the search.

When questioned, MARTINEZ admitted purchasing the shotgun a few months earlier and also stated that he knew it was too short and illegal.

A review of the National Firearms Registration and Transfer Records found that no gun had been registered by MARTINEZ.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Big Horn County Sheriff's Office and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

JOHN MARONEY

JOHN MARONEY, age 21, was sentenced to a term of:

- Prison: 27 months, consecutive to another sentence
- Special Assessment: $100
- Supervised Release: 3 years

MARONEY was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On February 20, 2007, MARONEY was sentenced on burglary, theft, and criminal mischief, all felony charges, in Park County.

On June 29, 2007, a Livingston Police officer received a report of a stolen 9mm pistol. The complainant stated he had left town on June 25, and when he returned on June 28, his 9mm pistol was missing. The complainant stated MARONEY and others were at his residence while he was gone. He said he spoke to MARONEY about the whereabouts of his pistol, but MARONEY said he did not know where the gun was. The stolen pistol was identified as a Hi-Point Model C, 9mm semi-automatic pistol.

On July 3, 2007, the officer received information that the pistol had been pawned at Action Pawn in Livingston by MARONEY. The officer went to the Park County jail and met with MARONEY, who was in custody on other charges and a probation violation. MARONEY admitted to possession of the firearm and to pawning it, but he denied knowing the firearm was stolen.

MARONEY'S supervising probation officer advised law enforcement that he had

previously warned MARONEY not to possess firearms and had taken a firearm from MARONEY during a previous supervision.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Livingston Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

PAMELA McCLURE

PAMELA McCLURE, age 40, was sentenced to a term of:

- Prison: 10 months
- Special Assessment: $100
- Supervised Release: 2 years

McCLURE was sentenced in connection with her guilty plea to making a false statement during a firearms transaction and a false statement regarding information required to be kept by federal firearms dealer.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On July 2, 2007, law enforcement officers apprehended a fugitive who was hiding in a closet inside McCLURE'S residence in Billings. Inside the residence, they discovered 15 firearms, including three "assault-type" weapons, a tactical shotgun, and numerous handguns. They also discovered an active marijuana grow operation consisting of 96 plants. The firearms were placed throughout the residence near portions of the drug grow and many were simply in open view.

Further investigation revealed that McCLURE had purchased three of the recovered guns from a local pawn shop on March 2, 2007.

On July 3, 2007, McCLURE was interviewed. She stated that she had known the fugitive for approximately three to four years and was his girlfriend. McCLURE also stated that she knew he was on probation. McCLURE said the firearms found at the residence belonged to her boyfriend and his cousin. McCLURE also admitted that she had purchased some of the firearms for her boyfriend from a local pawn shop. She said her boyfriend went to the pawn shop and selected some guns he wanted her to purchase before she even arrived. McCLURE also stated that her boyfriend provided the money to her before she went to the pawn shop.

Among the fifteen firearms, investigators located the three that were purchased by McCLURE on March 2, 2007. They were a Beretta Model 96 .40 caliber, semi-automatic pistol; a DPMS A-15, .223 caliber semi-automatic rifle; and a DC Industries

M70AB2, 7.62 x 39mm semi-automatic rifle.

An employee at the pawn shop provided officers with the ATF F 4473 firearms transaction form associated with this purchase. On the form, required for a firearms transaction, McCLURE indicated that she was the actual purchaser of the firearms listed on the form. McCLURE also certified that all of the answers to section A were true and correct. A store employee had verified McCLURE'S identity using her Montana driver's license.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the High Intensity Drug Trafficking Area (HIDTA) Task Force, the U.S. Marshals Service, and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

ROBERT MORRISON

ROBERT MORRISON, age 35, was sentenced to a term of:

- Prison: 21 months
- Special Assessment: $100
- Supervised Release: 3 years

MORRISON was sentenced in connection with his guilty plea to possession of a destructive device (a homemade pipe bomb) which was not registered in the national firearms registration and transfer record.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

A Montana Highway Patrol trooper stopped MORRISON on I-90 for a traffic violation. During the stop, both MORRISON, who was the driver, and his female passenger, appeared extremely nervous. The female was arrested on an outstanding warrant. The trooper observed discrepancies on the registration tag and began speaking to MORRISON about it. At this time, MORRISON said he had a gun with him. The trooper secured the gun. Later investigation determined MORRISON had stolen this firearm from his parents' gun safe. The firearm was identified as a Taurus PT 92 AF. Because both MORRISON and the female passenger showed signs of being under the influence of drugs, a Billings Police officer deployed his drug-detecting canine around the car. The dog indicated for the presence of drugs. Detectives impounded the car and obtained a search warrant. During the search of the vehicle, detectives located an improvised explosive device, namely a homemade pipe bomb. The pipe bomb was made from a Pringles canister and contained gunpowder, BB shrapnel and firecrackers. MORRISON told agents that he made the pipe bomb with the intention of using it to frighten people who ripped him off during drug deals.

The ATF Explosive Technology Branch examined the pipe bomb and determined it met the definition of a destructive device. Agents checked the National Firearms Registration and Transfer Record and determined the device was unregistered.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Montana Highway Patrol, the Billings Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

CHRISTOPHER DANE NELSON

CHRISTOPHER DANE NELSON, a 22-year-old resident of Livingston, was sentenced to a term of:

- Prison: 96 months and 1 day
- Special Assessment: $500
- Restitution: $831.94
- Supervised Release: 5 years

NELSON was sentenced in connection with his guilty plea to theft from a federal firearms licensee, robbery affecting commerce, use of a firearm during a crime of violence and possession of a stolen firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On November 18, 2006, NELSON stole a Glock .40 caliber pistol from a pawn shop in Bozeman. NELSON walked into the pawn shop, took the .40 caliber pistol, and walked out without paying or attempting to pay for the firearm.

On November 27, 2006, NELSON committed an armed robbery of Casey's Corner Store in Bozeman. During the robbery, NELSON brandished a black pistol (the Glock .40 caliber pistol) at the store clerk.

On December 7, 2006, an associate, at NELSON'S instruction, robbed the Noble Finance location where an unknown amount of cash was taken. NELSON instructed his associate on how to commit the armed robbery. NELSON had chosen the business to rob and drove the get-away car after the robbery.

On January 31, 2007, Bozeman law enforcement located NELSON and the stolen Glock .40 caliber pistol in his possession. When questioned, NELSON admitted to stealing the Glock .40 caliber pistol and to obliterating its serial number.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Bozeman Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

VICTOR PATACSIL

VICTOR PATACSIL, a 59-year-old resident of Havre/Box Elder, was sentenced to a term of:

- Prison: 12 months and 1 day
- Special Assessment: $100
- Supervised Release: 2 years

PATACSIL was sentenced in connection with his guilty plea to being in possession of a firearm with an obliterated serial number.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On December 14, 2004, Tri-Agency Safe Trails Task Force agents obtained a search warrant for PATACSIL'S residence in Box Elder. During the search of PATACSIL'S residence, agents located ten firearms, including two that had obliterated serial numbers.

The firearms with the obliterated serial numbers were a Raven Arms, 25 automatic pistol, Model P-25, and a Mauser model 98 rifle.

During a later interview, PATACSIL admitted to agents that he knew that the serial number on at least one of the above firearms had been obliterated.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was conducted by the Tri-Agency Safe Trails Task Force.

WILLIAM POWELL

WILLIAM POWELL, age 26, was sentenced to a term of:

- Prison: 24 months
- Special Assessment: $100
- Supervised Release: 3 years

POWELL was sentenced in connection with his guilty plea to possession of an unregistered destructive device not registered in the National Firearms Registration and Transfer Record.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In early morning hours of April 11, 2006, Montana Department of Criminal Investigation (DCI) agents conducted a monitored and controlled drug buy from POWELL. Following the drug buy, agents stopped POWELL'S vehicle. POWELL was eventually released, but the car was impounded and subsequently searched pursuant to a search warrant.

When the vehicle was searched, agents discovered a pipe bomb (IED) in the center console. The pipe bomb was a destructive device as defined under federal law. At the time of his contact with the agents, POWELL did not inform them of the presence of the destructive device in the vehicle, which was later driven by an agent to the impound yard.

POWELL possesses a federal explosive license, but it does not allow him to make devices of this type, nor has he registered any devices in the National Firearms Registration and Transfer Record (NFA) as required.

On November 27, 2006, agents with the Bureau of Alcohol, Tobacco, Firearms and Explosives interviewed POWELL. In the interview, POWELL admitted to manufacturing the pipe bomb about three days before it was discovered in his vehicle. POWELL said the pipe bomb had nothing to do with his fledgling explosives business, for which he obtained the explosives license, but was instead for personal use. POWELL admitted to making multiple destructive devices, with mixed results. POWELL told the agents that one of his previous explosive devices went off in an unintended fashion, injuring himself.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Montana Department of Criminal Investigation and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

BRETT PRITCHARD and CORY PRITCHARD

BRETT PRITCHARD, age 20, and CORY PRITCHARD, age 19, residents of Victor, were sentenced.

BRETT PRITCHARD was sentenced to a term of:

- Probation: 5 years, with 8 months of home confinement and electronic monitoring
- Special Assessment: $100
- Restitution: $1,050

CORY PRITCHARD was sentenced to a term of:

- Prison: 4 months, and then 4 months of home confinement
- Special Assessment: $100
- Restitution: $1,050
- Supervised Release: 3 years

They were sentenced in connection with their guilty pleas to possession of stolen explosives.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On April 21, 2007 a secured explosive magazine located in the Bitterroot Mountains on Sweathouse Creek Road near Victor was broken into and its explosive contents stolen. The explosive product stolen was approximately 120 pounds of commercial explosive used in a legitimate rock quarry operation.

Upon initial investigation by the Ravalli County Sheriff's Office (RCSO), officers found a pay stub from Montana Logging Company in the name of CORY PRITCHARD. The owner of the Montana Logging Company related that he did have a current employee named CORY PRITCHARD. The owner related that CORY PRITCHARD was working on a three man crew logging outside Helena. Law enforcement located the logging crew camp trailer at an East Helena RV park.

When CORY and BRETT PRITCHARD left the camp trailer for work on April 25, 2007, law enforcement detained and questioned them about the explosives theft in Ravalli County.

BRETT PRITCHARD was the first suspect to admit being involved in the explosives theft. He admitted that in the early morning hours of April 22, 2007, after a night of drinking alcohol, he, CORY, and another individual drove to the Sweathouse Creek explosive magazine, and with the use of BRETT'S Ford Ranger pickup and vehicle tow-ropes/chains, were able to defeat the double locked door of the magazine and steal the entire explosive contents of the magazine. The stolen explosives were stored at BRETT'S residence. BRETT then explained that on April 22, 2007, the other individual came to BRETT'S residence and removed some of the stolen explosives.

CORY PRITCHARD eventually confessed to his part in the theft of the explosives also. He informed investigators that some of the stolen explosives were stored in his bedroom at a house he was sharing with his cousin BRETT and two other individuals. On April 25, 2007, Ravalli County Sheriff's Office investigators secured the residence of BRETT and CORY PRITCHARD for an eventual execution of a search warrant in an effort to recover the stolen explosives. While at the PRITCHARDS' residence, law enforcement officers interviewed one of the roommates. The roommate advised law enforcement that in fact, five individuals were involved in stealing the explosives: BRETT PRITCHARD, CORY PRITCHARD, and three other individuals. Law

enforcement recovered stolen explosives from CORY PRITCHARD'S bedroom and a crawl space of the home.

On April 25, 2007, one of the individuals the roommate had identified called the Ravalli County Sheriff's Office and advised that he wanted to cooperate with investigators. He advised the officers that he was in possession of some of the stolen explosives. A search of his vehicle by the Ravalli County Sheriff's Office secured additional stolen explosives.

On April 26, 2007, Ravalli County Sheriff's officers and an ATF agent conducted interviews of this individual as well as another individual. They both confessed to being present and participating in stealing the explosives from the Sweathouse Creek explosives magazine.

On April 26, 2007, Ravalli County Sheriff's officers interviewed the third individual. During this interview, he admitted his participation in stealing explosives from the Sweathouse Creek explosives magazine and transporting some of the explosives around Ravalli County. Law enforcement officers executed a search warrant on his vehicles and recovered additional stolen explosives.

Assistant U.S. Attorney Kris A. McLean prosecuted the case for the United States.

The investigation was a cooperative effort between the Ravalli County Sheriff's Office, the Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Lewis and Clark County Sheriff's Office.

DAVID ALLEN REICHERT

DAVID ALLEN REICHERT, a 62-year-old resident of Butte:

- Home Arrest: 6 months
- Special Assessment: $100
- Probation: 5 years

REICHERT was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 30, 1994, in Montrose County District Court in Colorado, REICHERT was convicted of sexual assault on a child and assault in the second degree with a deadly weapon, thereby prohibiting him from possessing firearms.

Between September 27 and October 12, 2007, REICHERT was in possession of

firearms at his Butte residence. During a search of REICHERT'S residence, officers recovered a Magnum Research .45-70 revolver, a Sturm Ruger .458 caliber rifle, ammunition and a black powder rifle. Officers also found paperwork written by REICHERT where he acknowledged possession and ownership of the firearms.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

JOSHUA STANLEY ROBERTS

JOSHUA STANLEY ROBERTS, a 26-year-old resident Helena, was sentenced to a term of:

- Prison: 98 months
- Special Assessment: $100
- Supervised Release: 3 years

ROBERTS was sentenced in connection with his guilty plea to being a felon in possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 30, 2007, ROBERTS was convicted of felony burglary in the First Judicial District Court in Lewis and Clark County. ROBERTS was pending sentencing on this conviction and a warrant for his arrest had been issued as ROBERTS had not turned himself in as promised.

On July 9, 2007, Leon Gerald Gustafson and ROBERTS stole a Smith & Wesson 9mm pistol and a bag of marijuana from a local marijuana dealer in Helena.

Later that same day, a Helena police officer stopped ROBERTS and Gustafson and two juvenile females to identify them due to recent vandalism in the area. As the officer ran the group for warrants, both ROBERTS and Gustafson fled.

When apprehended, Gustafson was arrested for obstruction and probation violations. Gustafson admitted to stealing the marijuana and the pistol. He also admitted his prior felony conviction.

The local marijuana dealer and three witnesses in his vehicle would have testified that ROBERTS and Gustafson stole the marijuana and the Smith & Wesson pistol on July 9, 2007. They also would have testified that ROBERTS hit one of the witnesses and took the pistol from the trunk and that Gustafson threatened to shoot anyone who moved.

The two juvenile females stated that ROBERTS possessed the pistol most of the time after it was taken and prior to them being stopped by law enforcement. Gustafson possessed the pistol while ROBERTS went into a store to buy rolling papers. Gustafson then returned the pistol to ROBERTS. Gustafson took the pistol and unloaded it when ROBERTS talked about shooting anyone who stopped them. Gustafson handed the pistol to one of the juveniles to prove that the pistol was unloaded and safe.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Helena Police Department, the Montana Probation and Parole, and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

ERIN PAUL RODRIGUE

ERIN PAUL RODRIGUE, a 39-year-old resident of St. Regis and Baton Rouge, Louisiana, was sentenced to a term of:

- Prison: 37 months
- Special Assessment: $100
- Supervised Release: 3 years

RODRIGUE was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

RODRIGUE was convicted of conspiracy to distribute cocaine and being a felon-in-possession of a firearm in Louisiana and was therefore prohibited from possessing firearms.

On January 10, 2007, a search warrant was executed on RODRIGUE'S camp trailer as a result of information that RODRIGUE possessed firearms. Only ammunition was located. Later, associates turned in 13 firearms possessed and owned by RODRIGUE that he had hid with them prior to the search warrant execution.

These associates would have testified that RODRIGUE possessed these rifles through Christmas 2006 and early January 2007. RODRIGUE gave the firearms to his associates because he was afraid certain people would tell law enforcement about his firearms possession.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Mineral County Sheriff's Office, the Montana Fish and Game, and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

LARRY SALLEE

LARRY SALLEE, a 34-year-old resident of Billings, was sentenced to a term of:

- Probation: 24 months, with 12 months of home confinement
- Special Assessment: $100

SALLEE was sentenced in connection with his guilty plea to disposing of firearms to person who is an unlawful user of or addicted to a controlled substance.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On April 6, 2002, SALLEE purchased four firearms from federally licensed firearms dealers in Billings. Sometime between the date of purchase and September 21, 2002, SALLEE disposed of or delivered the firearms to an individual whom SALLEE knew was a daily user of marijuana as SALLEE had used marijuana with the individual and had purchased and distributed 1/4 pound of marijuana from the individual every month for approximately two years.

On two occasions SALLEE had traveled with the individual to Arizona to bring back loads of marijuana. When questioned, the individual admitted receiving the four firearms from SALLEE.

When questioned by law enforcement, SALLEE admitted he purchased the firearms at the request of the individual, knowing that he (SALLEE) would deliver the four firearms to the individual later.

Special Assistant U.S. Attorney Sheila R. Kolar prosecuted the case for the United States.

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

FRANCIS EDWARD SHOESTOCK

FRANCIS EDWARD SHOESTOCK, a 40-year-old resident of Helena, was sentenced to a term of:

- Prison: 41 months
- Special Assessment: $100

- Supervised Release: 3 years

SHOESTOCK was sentenced in connection with his guilty plea to being in possession of a sawed-off shotgun.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In 1992, SHOESTOCK was convicted of forgery in Arizona and was thereby prohibited from possessing firearms.

On May 11, 2007, after having received information that SHOESTOCK was in possession of a sawed-off shotgun, agents with the Bureau of Alcohol, Tobacco, Firearms and Explosives conducted a search of SHOESTOCK'S apartment. Recovered during the search were a sawed-off shotgun and a pistol. The shotgun had a barrel length of approximately 15.75 inches.

When questioned, SHOESTOCK admitted to possession of the sawed-off shotgun. He stated that he was holding the shotgun for a friend and that he knew the barrel was cut short.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Missouri River Drug Task Force.

SHANE TRAVIS WARRANT

SHANE TRAVIS WARRANT, a 25-year-old resident of Libby/Hungry Horse, was sentenced to a term of:

- Prison: 27 months, concurrent with another sentence
- Special Assessment: $300
- Supervised Release: 3 years

WARRANT was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm or ammunition and being an unlawful user of a controlled substance in possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On June 2, 2002, WARRANT was convicted of felony criminal possession of dangerous drugs in Flathead County and was under probationary supervision by the Montana Department of Corrections.

On February 3, 2007, WARRANT was a passenger in a vehicle stopped for speeding. During the traffic stop, WARRANT attempted to flee. When Mineral County Sheriff's deputies apprehended WARRANT, a 9mm pistol was recovered next to WARRANT on the ground. The deputies located a box of 9mm ammunition on WARRANT'S person. They also located a loaded 9mm clip in the vehicle where WARRANT had been sitting. The deputies then located $1,100 cash, nine syringes, 13 small plastic baggies used in drug distribution, and one baggie with methamphetamine residue. Both the money and larger baggie tested positive for the presence of methamphetamine when tested later at the Montana State Crime Lab.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Mineral County Sheriff's Office and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

DAVID ANDREW WELLS

DAVID ANDREW WELLS, a 25-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 57 months
- Special Assessment: $200
- Restitution: $600
- Supervised Release: 3 years

WELLS was sentenced in connection with his guilty plea to being a felon-in-possession of firearms.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On February 22, 2007, WELLS was convicted of felony theft. As a result of this conviction, WELLS is prohibited from possessing firearms.

On January 15, 2008, the Great Falls Police Department set up a controlled purchase of a firearm with a confidential informant (CI) who is a convicted felon. The CI gave WELLS $400 and requested a gun and explicitly thanked WELLS because "this is the only way I (the CI) can get a gun as I am a felon." The CI and WELLS traveled to a convenience store in Great Falls where WELLS was observed entering another car. WELLS returned and gave the gun to the CI as agreed and the CI thanked him again, and again mentioned he/she was a felon.

The CI then met with police officers and delivered the handgun which was identified as a Glock, Model 21, .45 caliber semiautomatic pistol. The weapon was checked through NCIC and was not reported as stolen. An E-trace revealed the weapon had been

purchased at Big Bear Sport Center in Great Falls on August 20, 2007, to the controlled purchase on January 15, 2008. On March 17, 2008, it was discovered that the Glock Model 21 purchased in January was stolen on January 27, 2008, from the original purchaser.

On February 19, 2008, another controlled purchase was arranged in which the same CI would give $200 to WELLS in return for a firearm. The CI traveled to WELLS' residence where a short time later WELLS showed him/her a pistol and indicated he wanted $175 for the gun. The CI told WELLS the gun wasn't worth more than $100 and WELLS said he had fired the gun and it worked fine. WELLS also advised that the actual seller of the gun wanted $175, but he would talk to him about the price.

WELLS went into his residence, returned quickly and said the seller would take $125. The pair then went to the same convenience store as before to make change to complete the sale. The CI took possession of the gun and then drove to a prearranged location to meet with police officers. The firearm was identified as a Lorcin, Model L25, .25 caliber semiautomatic pistol bearing. The gun was checked through NCIC and it was determined that the weapon had not been reported as stolen.

Special Assistant U.S. Attorney Kory Larsen prosecuted the case for the United States.

The investigation was a cooperative effort between the Great Falls Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

ALAN WILLIAMS

ALAN WILLIAMS, age 32, was sentenced to a term of:

- Prison: 84 months
- Special Assessment: $100
- Supervised Release: 3 years

WILLIAMS was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In 2003, WILLIAMS was convicted of assault with a weapon and assault on a minor.

On July 2, 2007, after two months of looking, law enforcement located WILLIAMS hiding in a closet inside a Billings residence. They recovered fifteen firearms, including three "assault-type" weapons, a tactical shotgun and numerous handguns from the residence. In addition, they discovered an active marijuana grow operation consisting of 96 plants.

The firearms were placed throughout the residence nearby portions of the drug grow and many were simply out in the open in view. A tactical law-enforcement-type "loadout vest" full of loaded magazines was also recovered. Several of the handguns were clustered together in groups. Numerous rounds of ammunition were also located in various parts of the residence. In addition, officers recovered instruction manuals for the manufacture of dangerous drugs, including marijuana, LSD, and mushrooms.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Marshal's Fugitive Task Force and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

FRAUD

THOMAS PRESTON ADAMS, CANDIDA M. CHAMPAGNE and BRUCE T. HIRONAKA (ADAMS, CHAMPAGNE & HIRONAKA)

THOMAS PRESTON ADAMS, a 41-year-old resident of Missoula, and CANDIDA M. CHAMPAGNE, age 27, and BRUCE T. HIRONAKA, age 41, residents of Great Falls, were sentenced.

ADAMS was sentenced to a term of:

- Prison: 51 months
- Special Assessment: $400
- Restitution: $20,063.63
- Supervised Release: 5 years

CHAMPAGNE was sentenced to a term of:

- Prison: 6 months
- Special Assessment: $100
- Restitution: $1,356.79
- Supervised Release: 5 years

HIRONAKA was sentenced to a term of:

- Prison: 12 months
- Special Assessment: $200
- Restitution: $1,371.08
- Supervised Release: 5 years

They were sentenced in connection with their guilty pleas to bank fraud. ADAMS also

pled guilty to aggravated identity theft, interstate transportation of a stolen motor vehicle, and being a fugitive in possession of a firearm and ammunition.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

ADAMS was arrested for felony theft in Worcester County Maryland and appeared on those charges on June 22, 2007. He requested a jury trial and was released. The trial was set for August 6, 2007. ADAMS failed to appear and a warrant was issued for his arrest.

On August 24, 2007, S&C Wrecker Service towed a 2005 Chevy Van from the alley near ADAMS' girlfriend's (Carrie McLean) house due to a parking violation. Upon checking the VIN of the van, S&C employees determined that it was stolen. Law enforcement determined that the vehicle had been stolen from Marksmen Construction Services in Indianapolis, Indiana, on or about August 13, 2007. The vehicle was towed to the Great Falls Police Department.

Later in the day, ADAMS arrived at S&C Towing to retrieve the van. Employees of S&C Towing called the police department. Before police officers arrived at S&C Towing, ADAMS departed. Police officers located the vehicle in which ADAMS was riding, and were able to detain ADAMS after chasing him through a field. ADAMS told officers his name was Chris Thomas Adams, which is the identity of ADAMS' deceased brother. At the time of ADAMS' arrest, he was in possession of the identification documents in the name of M.T. and a Western Union Money order purchased from Van's IGA in Great Falls on August 23, 2007.

A state search warrant was executed on the van. It contained a Senco staple gun, Senco nail gun, Milwaukee circular saw, Milwaukee sawzall, Trac fastener, Honda powerwasher, a blue bag containing hundreds of rounds of various ammunition, and a Remington M700 .338 winchester magnum rifle. Located in the blue bag was a leather ammunition belt with a pouch containing a Fish and Game license belonging to D.M.

D.M. and M.M. were contacted and they advised police officers that their business had been burglarized on or about August 18, 2007, and that power tools, as well as the blue duffle bag and rifle had been stolen. D.M. and M.M. verified that the tools, duffle bag and rifle belonged to them.

On September 17, 2007, M.M. also discovered that business checks had been taken in the burglary because 16 forged checks had come through the business bank account. The names listed in "pay to the order of" on the checks were HIRONAKA, N.L., M.T. and B.D. HIRONAKA was given checks in his name, a juvenile female was given checks in the name of N.L., and CHAMPAGNE received checks in the name of B.D. from McLean, drawn on D.M. and M.M.'s U.S. Bank business checking account. McLean advised investigators that ADAMS had provided her with the checks and told

her to use them when and if she needed money, groceries, etc. McLean had used her computer to print the checks so that they would appear to be legitimate payroll checks.

On August 23, 2007, ADAMS had used three of the stolen and fraudulently endorsed bank checks, made payable to M.T., to obtain money.

HIRONAKA was interviewed and admitted getting the fraudulent business checks in his name and drawn on the victims' business account from McLean. HIRONAKA admitted passing the checks and was captured on closed circuit video at a local convenience store negotiating one of the stolen and fraudulently endorsed checks.

CHAMPAGNE was interviewed and admitted getting two of the fraudulent business checks in the name of B.D. and drawn on the victims' business account from McLean. CHAMPAGNE admitted passing the checks and fraudulently using the identity of B.D. to do so.

While the entire scheme netted almost $8,500 for the conspirators, the checks negotiated by ADAMS totaled $2,121; the checks negotiated by HIRONAKA totaled $1,371.08; and the checks negotiated by CHAMPAGNE totaled $1,356.79.

McLean pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement and the Great Falls Police Department.

RUTH ELIZABETH AMENDE

RUTH ELIZABETH AMENDE, a 57-year-old resident of Belgrade/Bozeman, was sentenced to a term of:

- Probation: 5 years, with 6 months home arrest
- Special Assessment: $600
- Restitution: $19,500
- Community Service: 400 hours

AMENDE was sentenced in connection with her guilty plea to tax evasion.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On May 24, 1996, AMENDE completed and submitted certificates of live birth to the Gallatin County Clerk and Recorder's Office for a fictitious set of twin children. According to the birth certificates, Victoria Leigh Amende and Victor Robert Amende

were born on December 28, 1995, to Ruth Elizabeth Wallace (AMENDE). The live birth was allegedly witnessed by AMENDE'S mother. AMENDE was 45 years of age at the time of the two alleged births. No doctor attended the births.

When applying for birth certificates in May of 1996, AMENDE checked the "Yes" box granting permission to provide the Social Security Administration with the birth certificate information to obtain a Social Security number and card for each child.

On January 13, 1997, AMENDE completed and submitted the Social Security Administration application for a social security card, Form SS-5, for each child. Subsequently, the Commission of Social Security assigned Social Security numbers to the fictitious children.

On November 11, 2004, an informant contacted the Bozeman FBI office to advise that AMENDE claimed to have given birth to a set of twins at home but these children did not exist.

On January 23, 2006, law enforcement interviewed a member of the AMENDE'S family. That person reported that the set of twins did not exist. AMENDE had given birth to only two children, both now grown adults. In fact, AMENDE had received a tubal ligation in 1977 prior to the twins' alleged birthdate.

On May 23, 2006, AMENDE was interviewed and admitted that her purported set of twins did not exist and that she had made them up to receive larger income tax refunds from both the federal and state revenue authorities. AMENDE stated she prepared her own tax returns on her computer. AMENDE advised she had claimed her set of non-existent twins on income tax records from 1995 to the date of the interview. The non-existent twins reported by AMENDE as her children on federal and state tax forms are Victoria Leigh Amende and Victor Robert Amende.

A review of AMENDE'S tax records found that she claimed a set of (fictitious) twins as dependents for all tax years within the tax statute of limitations (2001 through 2005), with filing of the 2005 tax return in calendar year 2006. The federal tax loss due to the tax deductions she claimed is $17,701.

AMENDE also misused the Social Security numbers of the two fictitious dependent children on income tax returns filed by her with the Montana Department of Revenue. The Montana Department of Revenue calculated the amount of loss to the State of Montana pertaining to the tax returns to be $1,799.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation, the Criminal Investigation Division of the Internal Revenue Service, the Montana Department of Justice, the Montana Department of Revenue and the Social Security

Administration.

TONY EUGENE BARNES

TONY EUGENE BARNES, a 30-year-old resident of California, appeared for sentencing. BARNES was sentenced to a term of:

- Prison: 81 months
- Special Assessment: $300
- Restitution: $146,903.54
- Supervised Release: 5 years

BARNES was sentenced in connection with his guilty plea to conspiracy to commit fraud, bank fraud and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

BARNES, Tamara Minor, and several other individuals were involved in a crime ring which included fraudulently obtaining the personal and identifying information from customers at large national banks and obtaining money based on identity theft throughout the United States. BARNES is individually responsible for unlawfully obtaining approximately $40,000 in bank funds by fraudulently assuming at least 13 different identities at various Wells Fargo branches. BARNES, Minor, and the other individuals also used false identities to obtain in-store credit at major retailers and purchased thousands of dollars in high-end goods under assumed names. All told, BARNES and the other individuals are responsible for hundreds of thousands in loss.

On January 9, 2008, BARNES, Minor and the other individuals traveled into Montana with numerous stolen identities in their possession. These included names and account numbers of Wells Fargo bank customers, along with counterfeit driver's licenses and credit cards in the customers' names. Many of these materials were recovered by law enforcement officers when the group was arrested, along with a substantial amount of cash.

Traveling north out of Idaho, BARNES, Minor and the other individuals first hit Dillon on January 9. While there, BARNES entered a Wells Fargo branch and withdrew $4,500 from D.B.'s account. The next day, BARNES used a California driver's license in the name of J.R. to attempt to withdraw $6,000 from J.R.'s account at a Wells Fargo in Helena. BARNES was unsuccessful, however, because the bank informed him that it did not have adequate funds to cover the transaction. BARNES has used J.R.'s name in other transactions outside Montana where he had successfully obtained funds from J.R.'s account. Also, on January 10, 2008, one of the individuals drove the group to Butte where BARNES once again used D.B.'s name at a Wells Fargo branch to withdraw $3,000, showing a credit card and California driver's license as identification.

Ultimately, Wells Fargo staff in Butte recognized BARNES from a recent Fraud Alert and notified authorities. All the individuals were apprehended near Dillon in a rented Jeep Cherokee. A search of the vehicle revealed numerous counterfeit driver's licenses, credit cards and social security cards.

Further investigation revealed that one of the individuals drove the vehicles and retained the false identification materials along with the names and account numbers of bank customers. When the group approached a bank he would distribute the identities and counterfeit materials and send a "walker," such as BARNES or Minor, into the bank. The "walker" then returned funds to the individual who would retain the funds and give the "walker" one-third of the proceeds. The individual would also keep a percentage for himself and wire the remainder to unknown co-conspirators out of state. BARNES admitted his involvement in this conspiracy to law enforcement officials.

Further evidence would have consisted of video and photographic surveillance of BARNES and the other individuals using false identification in Wells Fargo branches across the west, along with documentary evidence such as counterfeit checks, forged deposit slips and affidavits of forgery from the true account holders.

Minor pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Ryan M. Archer prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

WILLIAM CURTIS BEEDE

WILLIAM CURTIS BEEDE, a 42-year-old resident of Billings, was sentenced to a term of:

- Prison: 18 months
- Special Assessment: $200
- Restitution: $730,985.38
- Supervised Release: 5 years

BEEDE was sentenced in connection with his guilty plea to bank and wire fraud.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Between late 2002 and July of 2005, BEEDE was the owner of Yellowstone Auto Inc. in Billings and borrowed money from Little Horn State Bank (LHSB) to purchase vehicles for resale.

BEEDE violated his security agreement with LHSB in several ways. First, upon resale

of some vehicles, BEEDE did not repay the loans against those vehicles. Second, upon purchase of some vehicles, BEEDE took out another loan against the vehicles with Automotive Finance Company (AFC). Finally, BEEDE did not use some of the borrowed funds to purchase vehicles.

BEEDE also submitted information about vehicles he did not own as collateral for loans with LHSB.

Between October of 2004 and July of 2005, BEEDE, through Yellowstone Auto, Inc., borrowed money from AFC to purchase vehicles for resale.

BEEDE also violated his promissory note and security agreement with AFC in several ways. First, upon resale of some vehicles, he did not repay the loans against the sold vehicles. Second, upon purchase of some vehicles, BEEDE took out another loan against the vehicles with LHSB. Finally, BEEDE did not use some of the borrowed funds to purchase vehicles.

BEEDE also submitted information about vehicles he did not own as collateral for loans with AFC.

On July 19, 2005, AFC wired $72,000 from its account with SunTrust Bank in Atlanta, GA, to Yellowstone Auto Inc.'s account at LHSB in Billings for the purpose of executing the scheme.

First Assistant U.S. Attorney Kurt G. Alme prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

MICHAEL ANTHONY BIGGS

MICHAEL ANTHONY BIGGS, a 25-year-old resident of Bozeman and Townsend, was sentenced to a term of:

- Prison: 18 months
- Special Assessment: $100
- Restitution: $7,169.55
- Supervised Release: 5 years

BIGGS was sentenced in connection with his guilty plea to bank fraud.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On October 25, 2005, a Bozeman Police Department detective responded to Wild Birds Unlimited on a complaint of a forged check being used to purchase merchandise. The

detective discovered that a male and female had entered the store to purchase binoculars and an optical attachment with a check in the name of a male individual, referred to here as "J.G.". Later the same day, the couple returned to the store and returned the binoculars for cash. The male suspect returned to the store again to return the optical attachment. When questioned by store employees about the check he had used, the male suspect fled from the store.

The check was issued on a Norwest Bank account in the name of "J.G.". Personnel from Wild Birds Unlimited discovered the account had been closed. A copy of the October 25, 2005, check for $289 signed by "J.G." was endorsed by First Security Bank of Bozeman for deposit into the account of the owner of Wild Birds Unlimited. Officers subsequently monitored pawn sales and discovered an individual attempting to sell the optical attachment. This individual explained that BIGGS had given it to him to pawn.

On November 1, 2005, officers responded to a residence in Bozeman where they were able to identify BIGGS and a female companion. A search of the residence disclosed numerous items of stolen mail including manipulated and altered business checks, a social security card, credit card statements, and various other identifying items. The female companion agreed to speak with officers and stated that she and Biggs had found "J.G.'s" checks at "V.G.'s" house. At that time "J.G." was deceased. The female companion informed the officer that BIGGS took the checks and she was able to identify his signature on some of the forged checks.

On November 2, 2005, officers showed a photo line-up to employees at Wild Birds Unlimited and they positively identified BIGGS as the person who wrote the fraudulent check drawn on the Norwest Bank account of "J.G.".

On May 9, 2007, BIGGS was contacted and admitted that he took a box of checks belonging to "J.G." from "V.G.'s" garage. He also admitted that he and the female companion passed many checks around Bozeman in the name of "J.G.", and specifically admitted to his involvement in passing the fraudulent Norwest Bank check at Wild Birds Unlimited in Bozeman.

BIGGS was responsible for drafting several thousand dollars worth of fraudulent checks to local Bozeman area businesses.

Assistant U.S. Attorney Ryan M. Archer prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

KARIS BLANK

KARIS BLANK, a 42-year-old resident of Laurel, was sentenced to a term of:

- Prison: 12 months and 1 day

- Special Assessment: $600
- Restitution: $37,462.66
- Supervised Release: 3 years

BLANK was sentenced after having been found guilty during a 4-day trial of disability fraud and wire fraud.

Assistant U.S. Attorney Leif M. Johnson prosecuted the case for the United States.

The investigation was conducted by the Office of the Inspector General of the United States Postal Service.

SANDRA BOWMAN

SANDRA BOWMAN, a resident of Livingston, was sentenced to a term of:

- Probation: 5 years
- Special Assessment: $100
- Restitution: $13,091.08

BOWMAN was sentenced in connection with her guilty plea to wire fraud.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From October of 1989 through February of 2004, BOWMAN obtained money from the Social Security Administration (SSA), in that she applied for Supplemental Security Income benefits and provided information initially and through updates to continue to receive benefits, while making false representations that she lived alone or only with her child, when in fact she was living with her common-law husband, hereafter referred to as “M.B.”, throughout this time period.

BOWMAN also falsely represented that no other person gave to her or paid for food, rent, taxes, fuel, gas, water or other bills; when in fact, “M.B.” earned income and paid some or all of such bills.

In February of 2004, BOWMAN contacted the Social Security Administration and reported that she had in fact been in a common-law marriage with “M.B.” since 1982 and that she had filed for divorce.

On October 13, 2004, a District Court judge stated in his Findings of Fact, and Conclusions of Law and an Order that BOWMAN and “M.B.” had entered into a common-law marriage in 1984, and that BOWMAN and “M.B.” co-mingled monies from all sources, including SSI funds, for mutual living expenses and building a home and developing surrounding acreage. The court further found that the false statements to

the SSA benefitted the couple as a whole, not just BOWMAN.

Evidence would have further shown that in interviews with BOWMAN and in the dissolution proceedings, BOWMAN stated that she did not disclose the relationship with "M.B." or the financial support received from "M.B." because "M.B." advised her not to make such a disclosure as it was none of the business of the SSA. BOWMAN further admitted that she still knew the relationship and financial support should have been reported to the SSA. Interviews and dissolution proceeding testimony also reflected that "M.B." or family members sold livestock owned by BOWMAN for her in order that her name not be associated with the proceeds.

Assistant U.S. Attorney Victoria L. Francis prosecuted the case for the United States.

The investigation was conducted by the Inspector General's Office for the Social Security Administration.

KYLE JEFFREY BREDL

KYLE JEFFREY BREDL, a 21-year-old resident of Wisconsin, was sentenced to a term of:

- Home Arrest: 6 months
- Special Assessment: $100
- Probation: 5 years

BREDL was sentenced in connection with his guilty plea to money laundering.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In the summer of 2004, law enforcement agents in New Orleans were investigating the illegal sale of steroids through the Internet and noticed that a lot of the activity they were seeing originated with a company calling itself Pacific Rim Labs, operating out of Missoula. The New Orleans agents then notified the Drug Enforcement Administration (DEA) and the Missoula High Intensity Drug Task Force (Missoula HIDTA) of this activity and an investigation ensued.

Missoula HIDTA agents began by placing an order through the Internet with Pacific Rim Labs for two different kinds of steroids. They later followed that order with a letter to Jim Jones at a Missoula address Jones had supplied, again asking for the steroids. The agents included a postal money order in the amount of $97 with the letter. The letter was sent from a DEA cover address in Colorado, and a few days later the agents received by mail, the steroids they had ordered. That package bore a return address listed as Southgate Mall, Missoula. The agents sent the purported steroids to the DEA laboratory in San Francisco for testing. The lab tested the products and confirmed that

both were steroids.

Agents next received and applied for a search warrant to search Jones' residence. There they found steroids, mixing agents, laboratory-grade glass mixing equipment, glass vials and tops, funnels, needles and syringes, a capsule mixing machine, large bags filled with empty gel capsules, a capsule-filling press, scales, and nine Nalgene plastic laboratory-grade filtration devices. Agents also seized a variety of documents, including bank records, Western Union receipts, and U.S. Postal Service delivery receipts.

In addition, agents seized the contents of Jones' postal mail box. Included in the box were three envelopes from three different people in different parts of the United States addressed to BSS Supplements which contained cash or postal money orders, totaling $1,370. Also included in the mail box was a box from an individual in Xianju, China, addressed to Big Sky Sports Supplements. In the box were four mylar bags containing powder. Testing determined the powder was steroids.

By this time it was clear from seized documentation that Dana Fiscus was working with Jones. Agents obtained various money transfer and shipping records pertaining to Fiscus and Jones from Western Union and other money transfer businesses, as well as bank records for both. Agents discovered that early in the conspiracy, from June of 2004 through June of 2005, Jones had wire-transferred approximately $18,000 to individuals or organizations in China. The transfers had concerned Western Union sufficiently that they cut off Jones' wire transfer privileges. Fiscus also had tens of thousands of dollars in money wires in his name, to and from various places, including Jones Enterprises. Western Union provided a spread sheet which showed Fiscus had received approximately 171 wire transfers between November of 2004 and May of 2006, totaling approximately $53,000. The records also revealed that Fiscus had made some wire transfers to individuals in China. Fiscus admitted that the wires to him were payment from retail customers for steroids and the wires to China were to pay the supplier of the bulk product.

The investigating agents sent the records to DEA forensic accountants for analysis. The analysts concluded in reviewing bank accounts which Jones shared with his wife, or were established for his businesses, that every year since 2004, there were tens of thousands of dollars in deposits from unknown individuals or corporations. The deposits were in the form of Western Union wires, MoneyGrams, or cash deposits. The analysis also investigated E-Gold accounts and found that Jones had paid over $10,000 by that method to a person in China. The analysts noted that because the records were not complete they were not able to compile exact figures, and cautioned further that there may be unknown accounts, or transactions that occurred strictly in cash without ever flowing through a bank account. In total, they found between $150,000 and $200,000 in unexplained deposits to Jones' accounts.

When questioned, Fiscus admitted he had been employed by Jones to help Jones sell

steroids through the Internet. He explained that they would receive steroids from China in bulk, and would then process and package it into smaller quantities in Missoula. The smaller quantities would be labeled and sent out to people who had ordered the steroids from Jones through the Internet. The customers paid either by sending cash or by sending Western Union wires or MoneyGrams. The bulk product was also paid for by sending wires to the Chinese suppliers.

Through further investigation, agents also discovered that BREDL was involved with Jones and Fiscus, though BREDL was living in Wisconsin. Agents in Wisconsin purchased steroids from BREDL many times in an undercover capacity. They later searched his house, finding equipment for processing bulk steroids, as well as packing equipment. When questioned, BREDL admitted he had been receiving bulk steroids from a business in Missoula calling itself Ebay Solutions. He also admitted receiving money orders from customers around the country and then sending the profits to Jones in Missoula, at the Ebay Solutions' address.

Fiscus and Jones pled guilty to federal charges and have been sentenced.

Assistant U.S. Attorney Josh Van de Wetering prosecuted the case for the United States.

The investigation was a cooperative effort between the Drug Enforcement Administration, the Missoula Police Department and the Missoula High Intensity Drug Trafficking Area (HIDTA) Task Force.

JAMES LEE BROWN

JAMES LEE BROWN, a 45-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 41 months
- Special Assessment: $100
- Restitution: $200
- Supervised Release: 3 years

BROWN was sentenced in connection with his guilty plea to counterfeiting.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 27, 2007, the undisputed leader of the counterfeiting ring, BROWN, Austin Mancha, Jeffrey Myre and others went to Wal-Mart where they purchased a stereo (to return for cash), and a printer, tape, scissors, paper and a ruler (requested by BROWN) using a fraudulent check.

BROWN, Mancha, Myre, and two others then went to BROWN'S home to begin processing counterfeit currency. BROWN printed counterfeit currency with the assistance of Mancha, K.P. and Myre. BROWN began by using concrete cleaner – a purple liquid – to bleach genuine $5 and $10 federal reserve notes. The conspirators then used the bleached paper to print counterfeit $100 federal reserve notes. At least one of the conspirators identified BROWN as the member of the group that had the expertise and knowledge of the "bleached bill" method of counterfeiting.

BROWN was arrested at a casino in Great Falls on April 10, 2007, for passing and possession of counterfeit currency. Upon BROWN'S arrest, his wife went to Mancha's residence where the printer and a bag of uncut counterfeit currency was held. BROWN'S wife and Mancha threw the printer and bag of uncut currency in the garbage dumpster. BROWN'S wife also took a large bottle of the concrete cleaner back to her residence and retrieved a second bag of uncut currency and a second bottle of concrete cleaner. BROWN'S wife then went to his sister's apartment – across the hall from BROWN'S apartment - and BROWN'S wife and sister flushed the evidence down the toilet and sink. The sink and toilet became plugged and the landlord had to take down part of the wall to repair the plumbing.

On April 11, 2007, a waste treatment plant employee discovered a $100 federal reserve note floating in the water. The employee took the note to a bank and determined it was counterfeit. The employee then turned the note over to the Great Falls Police Department. The note had the same serial number as one used by BROWN and it was printed on bleached genuine federal reserve note paper.

Also on April 11, 2007, three additional counterfeit bills – matching those passed by BROWN at the casino – were passed at Wal-Mart.

Mancha and Myre pled guilty to federal charges and have been sentenced.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Secret Service and the Great Falls Police Department.

SUSAN TOCCI CAMPBELL

SUSAN TOCCI CAMPBELL, a 58-year-old resident of Helena, was sentenced to a term of:

- Prison: 75 months
- Special Assessment: $300
- Restitution: $973,866.34
- Supervised Release: 3 years

CAMPBELL was sentenced in connection with her guilty plea to embezzlement, income tax evasion and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From December 10, 2002, until June 14, 2007, CAMPBELL served as an accountant for the Facilities Management Bureau of the Montana Department of Administration General Services Division in Helena. The Facilities Management Bureau manages all the state owned property within a ten-mile radius of the Montana State Capital building. Management of the properties includes securing vendors and authorizing payment to the vendors for services they provide.

During the period 1998 through October 30, 2006, Jack's Technical Assistance contracted with the General Services Division to provide mechanical maintenance services. Jack's Technical Assistance is owned by Jack Campbell, SUSAN CAMPBELL'S husband.

Vendor contract payments are initially reviewed and approved by a Facilities Manager (FM) or an in-house Engineer. Once the FM or Engineer approves the invoice, it is then submitted to the Accounting Technician. The Accounting Technician, using his/her user ID and password, enters the transaction into the computer to request that a warrant (check) be issued to the vendor. The request is then sent to the Accounting Supervisor for approval.

On June 5, 2007, after returning from a break, an Accounting Technician, D.M., observed CAMPBELL sitting at D.M.'s desk. Upon returning to her desk, D.M. opened a minimized window on her computer at which time she observed a payment request for Jack's Technical Assistance totaling $7,951. The Accounting Technician was suspicious of the request as she was aware that Jack's Technical Assistance no longer had a contract with the General Services Division. CAMPBELL, as Accounting Supervisor, knew the Accounting Technician's User ID and password for accessing the accounting system to request a warrant. CAMPBELL typically requested the Accounting Technician's password every 60 days, as the passwords expired on that rotation schedule.

On June 7, 2007, this same Accounting Technician was at Management Support in the Mitchell Building picking up warrants that she had requested earlier in the week. Upon signing the warrant log, the Accounting Technician noticed that CAMPBELL had signed the log for picking up a warrant the day before. This was the same day that CAMPBELL had volunteered to pick up the payroll checks. The Accounting Technician assumed that this was the warrant totaling $7,951 payable to Jack's Technical Assistance that CAMPBELL had likely requested on June 5, 2007. On the same day, the Accounting Technician was reviewing the sequential order of the document numbers and identified several documents that were missing.

During D.M.'s review, CAMPBELL questioned D.M. as to what she (D.M.) was doing. CAMPBELL told D.M. not to worry about the missing document numbers as no one ever looks at them. CAMPBELL further advised that one of the document numbers had been voided. Upon returning from lunch, the Accounting Technician noticed that the slip of paper that she wrote on to identify the missing documents numbers was gone.

On June 11, 2007, because of her suspicions, the Accounting Technician checked the accounting system and identified that one of the missing document numbers she had identified on June 7, 2007, was another payment request for Jack's Technical Assistance which totaled $11,099. On June 12, 2007, while requesting a payment to Verizon, she inputted what she believed to be the next document number and identified another payment request for Jack's Technical Assistance totaling $19,879.

On June 13, 2007, the Accounting Technician keyed in the missing document numbers that she had identified several days before and found that all of them were payment requests for Jack's Technical Assistance. The Accounting Technician has never requested any warrants (checks) be issued to Jack's Technical Assistance and has never authorized CAMPBELL to use her User ID and password in a fraudulent manner. A.B., the previous Accounting Technician, also confirmed to law enforcement that although she had provided CAMPBELL with her password every 30 to 60 days, she never authorized CAMPBELL to use her password and User ID for anything other than necessary and legitimate state business.

D.M. reported her concerns to another Department of Administration employee, who in turn, reported the matter to the Administrator, CAMPBELL'S supervisor. The Administrator investigated the concerns raised by the Accounting Technician and became aware of five payments to Jack's Technical Assistance totaling $73,092.05, for which he could not find any supporting documentation. He also learned that CAMPBELL had picked up each of the five checks from the Management Support Bureau.

On June 19, 2007, the Administrator and a Department of Administration attorney confronted CAMPBELL regarding their findings. CAMPBELL initially denied taking the money but later admitted during the meeting that she had taken it. CAMPBELL denied taking monies other than the $73,092.05 that the internal review had identified.

An auditor for the Montana Legislative Audit Division conducted a review of warrants issued to Jack's Technical Assistance. She found 20 payments totaling $739,312.47 that were not supported by either the contract with Jack's Technical Assistance, or other invoices and supporting documentation.

The following summarizes the unsupported warrants:

Date	Warrant #	Amount	Initiated By	Approved By
12/10/2002	04139181	$65,760.89	Not Available	Not Available
09/08/2003	05017584	$65,755.03	A.B.	CAMPBELL
07/29/2004	05931124	$23,591.95	A.B.	P.M.
11/23/2004	1149823	$66,395.60	A.B. (A.B. on Sick Leave)	J.A.
12/21/2004	1160376	$33,986.86	A.B. (A.B. on Sick Leave)	J.A.
05/06/2005	1219083	$39,122.00	A.B.	CAMPBELL
09/06/2005	07003708	$66,521.93	CAMPBELL (CAMPBELL on Sick Leave)	J.A.
09/28/2005	1274269	$24,019.00	A.B. (A.B. on Sick Leave)	CAMPBELL
10/19/2005	07078313	$66,521.93	A.B.	CAMPBELL
12/30/2005	1314057	$34,259.68	A.B.	CAMPBELL
07/26/2006	1399227	$74,170.22	A.B. (A.B. on Sick Leave)	D.C.
10/04/2006	1424874	$59,765.00	A.B.	CAMPBELL
12/14/2006	08084820	$15,498.33	A.B.	CAMPBELL
01/09/2007	08122984	$18,567.00	A.B. (A.B. on Sick Leave)	CAMPBELL
02/28/2007	1475881	$12,285.00	A.B.	CAMPBELL
04/26/2007	1495802	$15,497.63	D.M.	CAMPBELL
05/04/2007	1502516	$18,665.42	D.M.	CAMPBELL
06/06/2007	1511916	$7,951.00	D.M.	CAMPBELL
06/11/2007	1514972	$11,099.00	D.M.	CAMPBELL
06/14/2007	1515525	$19,879.00	D.M.	CAMPBELL

The total amount embezzled between December 2002 and June 2007 was $739,312.47.

On November 8, 2007, law enforcement contacted CAMPBELL. CAMPBELL stated that beginning sometime during 2001, using A.B.'s User ID and password, she entered transactions into the accounting system to request the issuance of non-legitimate warrants to Jack's Technical Assistance. These requests were non-legitimate in that they were not supported by Jack's Technical Assistance invoices and did not represent payments for services provided by Jack's Technical Assistance. CAMPBELL advised that her scheme continued up until shortly before she was terminated. CAMPBELL had also used D.M.'s User ID and password to generate non-legitimate warrants payable to Jack's Technical Assistance.

CAMPBELL was shown a schedule reflecting 20 checks payable to Jack's Technical Assistance. CAMPBELL advised that these were the warrants that she referred to above as non-legitimate. To avoid detection, CAMPBELL ensured that the amounts for many of the non-legitimate warrants were the same as legitimate Jack's Technical Assistance service payments. An end of year report was generated showing the amounts paid to Jack's Technical Assistance, but CAMPBELL was the only one that typically reviewed it.

CAMPBELL confirmed that neither A.B. nor D.M. had ever authorized CAMPBELL to use their User IDs and passwords in such a manner. CAMPBELL and the Accounting Technicians knew each other's User IDs and passwords as a matter of operational practice in the event that someone was absent and needed to perform the other person's job.

Once the fraudulent warrant was issued, it was either mailed to Jack's Technical Assistance or maintained at the Management Support Division identified as a non-mailer, available for pickup. CAMPBELL believed that she picked most of these non-mailers up from the Management Support Division. Upon CAMPBELL obtaining the warrant, she would then deposit it into Jack's Technical Assistance's business account at Mountain West Bank. CAMPBELL advised that she was the bookkeeper for Jack's Technical Assistance, which included handling payroll and paying bills. However, CAMPBELL has never been a signatory on Jack's Technical Assistance's account.

Shortly after depositing the checks into Jack's Technical Assistance's Mountain West Bank account, CAMPBELL then wrote checks payable to herself, her son and her daughter-in-law by signing her husband's name.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Criminal Investigation Division of the Internal Revenue Service.

EULALIO CABRALES-CERVANTES

EULALIO CABRALES-CERVANTES, a 38-year-old resident of Great Falls, was sentenced to a term of:

- Probation: 1 year
- Special Assessment: $100

CABRALES-CERVANTES was sentenced in connection with his guilty plea to misuse of a social security number.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In February of 2005, the U.S. Immigration and Customs Enforcement (ICE) in Great Falls received information from a cooperating individual (CI) that CABRALES-CERVANTES was selling fraudulent resident alien cards and social security cards at his Great Falls business, the Marco Polo Pizzeria, which is no longer in business.

On March 10, 2005, the CI, acting at the direction of ICE agents, placed a monitored and recorded telephone call to CABRALES-CERVANTES to arrange the purchase of a fraudulent resident alien Card and social security card. CABRALES-CERVANTES advised the CI that CABRALES-CERVANTES' sister in Texas was attempting to locate a document vendor.

On March 11, 2005, during a recorded telephone conversation with the CI, CABRALES-CERVANTES confirmed that the documents would be obtained from an unknown source in Texas and that the money was required in advance. The price of the documents would be $300 for the resident alien card and $150 for the social security card.

On April 7, 2005, the CI met with CABRALES-CERVANTES at the Marco Polo Pizzeria to transfer $450 and a photograph of an Asian male. CABRALES-CERVANTES was provided the name "Shui Lin" and social security number 120-92-****. CABRALES-CERVANTES advised that it would take approximately three days to receive the documents from Texas.

On April 22, 2005, the CI met CABRALES-CERVANTES at the Marco Polo Pizzeria to collect the previously purchased documents. CABRALES-CERVANTES gave the CI a resident alien card in the name of Shui Lin and bearing a photograph provided by law enforcement, and a social security card in the name of Shui Lin with the number 120-92-****.

On February 27, 2006, ICE agents advised CABRALES-CERVANTES that he was under investigation for selling fraudulent documents. He immediately stated that he

had never done anything wrong before and had just made a mistake. He admitted to selling fraudulent identification documents to a Chinese male who he identified as the CI.

Assistant U.S. Attorney George Darragh prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement in Great Falls.

DUNCAN EDWARDS

DUNCAN WILLIAM EDWARDS, a 63-year-old resident of Kansas, Oklahoma, formerly of Montana, was sentenced to a term of:

- Probation: 5 years
- Special Assessment: $200
- Restitution: $102,698

EDWARDS was re-sentenced in connection with his guilty plea to bank fraud and bankruptcy fraud after his original sentence was appealed to the Ninth Circuit Court of Appeals. The sentence was reversed and remanded back to U.S. District Court for re-sentencing.

U.S. Attorney William W. Mercer prosecuted this case for the United States.

KENT ETCHISON

KENT ETCHISON, a 33-year-old resident of Vancouver, Washington, formerly of Kalispell, was sentenced to a term of:

- Prison: 60 days
- Community Confinement/House Arrest: 10 months
- Community Service: 250 hours
- Special Assessment: $100
- Restitution: $815,500
- Supervised Release: 3 years

ETCHISON was sentenced in connection with his guilty plea to mail fraud.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From 2001 until 2006, ETCHISON worked for KOFI Radio in Kalispell as an office manager. His duties were many and varied, and included sole responsibility for ordering office supplies. During his years of employment, he ordered approximately

$972,000 worth of office supplies, in quantities far in excess of what KOFI could use. He fraudulently ordered primarily copier and printer supplies (cartridges, etc.), some of which were not compatible with KOFI equipment, from a handful of companies allegedly doing business across the country.

The various companies from whom ETCHISON ordered supplies appear to be engaged, either partially or entirely, in scamming businesses like KOFI, using people like ETCHISON. When ETCHISON'S actions were discovered during an accounting audit of KOFI, he wrote a letter of apology to his bosses. He later confessed to his course of conduct during an interview with a Secret Service agent. He explained during that interview that he ordered such a large of quantity of supplies because the various companies were providing him incentives or kick-backs for his orders, including merchandise, gift cards and gift checks, and cash. The more often he ordered supplies, and the more supplies he ordered, the larger his kick-back.

It is not clear whether KOFI ever received some of what ETCHISON ordered, most of which the station never could have used. It is also unclear whether ETCHISON returned some of the supplies he ordered, though there are some indications that he attempted to return merchandise.

ETCHISON'S orders, as well as his kick-backs, were received in the mail or from common carriers such as UPS and Federal Express.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was conducted by the U.S. Secret Service.

JAMES GUS GEORGACOPOULOS

JAMES GUS GEORGACOPOULOS, a 61-year-old resident of Billings, was sentenced to a term of:

- Probation: 4 years
- Special Assessment: $200
- Restitution: $11,778

GEORGACOPOULOS was sentenced in connection with his guilty plea to conspiracy and theft of government money.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In 2005, Lowell Timothy Howell and GEORGACOPOULOS lived with a former desk clerk of the Esquire Hotel in Billings. The clerk was aware that Howell and GEORGACOPOULOS had been stealing an individual's Veterans Administration (VA)

checks since January 2005, when GEORGACOPOULOS worked as a desk clerk at the Esquire. GEORGACOPOULOS and Howell had discussed their scheme in her presence. GEORGACOPOULOS would steal the checks, forge the victim's signature, and then give them to Howell. Howell would then deposit the checks in his account and split the proceeds with GEORGACOPOULOS. Conversation between the two relating to the scheme would occur approximately once a month. The former desk clerk had also personally witnessed GEORGACOPOULOS take the victim's mail from the Esquire and sign his name on some of the checks.

The intended recipient of these VA checks is currently an inmate at the Pinellas County Jail in Florida. He was interviewed regarding this matter and stated that although he had applied for VA benefits, he had never received any money from them. He stated that he has memory problems, so he does not know if he knows Howell or GEORGACOPOULOS. However, he stated that he never gave anyone permission to sign his name on checks and he has never given anyone a power of attorney.

A search for VA checks made payable to the victim initially revealed a total of 11 checks. The first check, for $2472, was cashed at Western Pawn Brokers.

The owner of Western Pawn Brokers identified Howell as the person who cashed the check. Howell had arrived at the store with another man, sitting in the truck, who the owner later learned to be GEORGACOPOULOS. Howell told the owner that the check had been written to the man in the truck who was disabled and therefore unable to cash the check himself. The owner then cashed the check.

The other 10 checks were all negotiated at First Citizens Bank between February 1, 2005, and November 1, 2005 (date of checks). A search of their records indicated that Howell opened an account at that bank in October of 2004. Since then, those 10 checks, written to the victim, were all deposited into Howell's account. A later search at the Austin Data Center uncovered a check issued and deposited on November 1, 2005. That is the same date that GEORGACOPOULOS stole the mail from the Esquire Motor Inn. That check, as well as another check issued December 2, 2005, were deposited into Howell's account at First Citizens Bank.

The total amount of all the VA checks is over $11,000. Over the course of that time, Howell made numerous withdrawals from the First Citizens Bank account, completely depleting the funds in the account.

On December 21, 2005, Howell was interviewed and admitted to his role in the scheme. He stated that GEORGACOPOULOS would steal the victim's checks and forge his signature on the back. GEORGACOPOULOS would then give the checks to Howell, who would deposit them into his account and split the money with GEORGACOPOULOS.

Many of the checks contained information, beyond the victim's signature, that

implicated GEORGACOPOULOS. Some of them had social security numbers, none of which were the victim's social security numbers. However, these numbers were very similar to GEORGACOPOULOS' social security number. Many of them simply had one digit changed. Furthermore, some of the checks contained birthdates that were very similar to GEORGACOPOULOS' birthdate. They were also usually just one digit away from his birthday.

Howell pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Office of the Inspector General for the Department of Veterans Affairs.

MARGARITA ALVAREZ GONZALEZ

MARGARITA ALVAREZ GONZALEZ, a 46-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 42 months
- Special Assessment: $ 200
- Restitution: $ 5,749.44
- Supervised Release: 4 years

GONZALEZ was sentenced in connection with her guilty plea to bank fraud and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

A Great Falls woman, N.C., allowed Margarita Gonzalez, the daughter of a friend, to stay with her for a few months in the Spring of 2007.

On July 7, 2007, N.C. was admitted to Benefis Hospital. On August 1, 2007, she slipped into a coma and was placed on life support. On August 6, 2007, a friend of N.C.'s, who had an unexecuted power of attorney, convinced the landlord at N.C.'s apartment to evict GONZALEZ. N.C. remained on life support until her death on August 18, 2007.

Between early July and August 21, 2007, GONZALEZ, having taken several books of checks from N.C.'s apartment, wrote fraudulent checks to local businesses, sometimes representing herself as N.C., and sometimes representing herself as a legitimate payee of a check off N.C.'s account. The checks signed in the name of N.C. are clear forgeries, with no visible effort having been made to mimic N.C.'s signature. The amount of known loss is $3,800 during the 5 week period of the check writing spree.

GONZALEZ was interviewed and claimed that N.C. had pre-signed the checks. She claimed she had several more of the pre-signed checks with her but refused a search of her purse. A warrant was issued and although GONZALEZ did have several more books of checks on N.C.'s account, none were "pre-signed." Investigators pointed out to GONZALEZ that N.C. always signed her name using her middle initial, and that none of the checks transacted while N.C. was in the hospital carried the middle initial. Also, all of the suspect checks were written in the same ink and the same hand as the signature. GONZALEZ then confessed that some of the checks she wrote were without N.C.'s authority and carried forged endorsements.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

MAHENDRA PRATAP GUPTA

MAHENDRA PRATAP GUPTA appeared for re-sentencing. GUPTA was re-sentenced to a term of:

- Probation: 12 months home confinement
- Fine: $25,000

GUPTA was re-sentenced after having been found guilty of conspiracy to submit false claims in Florida in October of 1999. His original sentence was appealed to the Eleventh Circuit Court of Appeals where the sentence was reversed and remanded back to U.S. District Court for re-sentencing.

Assistant U.S. Attorney Leif M. Johnson prosecuted this case for the United States.

The investigation was a cooperative effort between the United States Postal Inspector and the Internal Revenue Service Criminal Investigations.

JANETTE L. HARMSEN

JANETTE L. HARMSEN, a 55-year-old resident of Missoula, was sentenced to a term of:

- Probation: 2 years
- Special Assessment: $100

HARMSEN was sentenced in connection with her guilty plea to making false statements to obtain federal benefits.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Beginning in 2004, HARMSEN acted as a representative payee on behalf of her daughter, who received Supplemental Security Income (SSI) benefits from the Social Security Administration (SSA). As part of the representative payee reporting requirement, HARMSEN was required to report changes in the custody or living arrangements of her daughter.

On May 1, 2004, HARMSEN reported to SSA that her daughter was living with her in Missoula.

In October or November of 2004, HARMSEN'S daughter moved to Polson to live with her father (HARMSEN'S ex-husband).

On November 4, 2005, HARMSEN falsely reported to SSA that her daughter had lived with her in Missoula between July 1, 2004, and June 30, 2005.

On January 19, 2007, HARMSEN again falsely reported to the SSA that her daughter was residing with her in Missoula and that there was no change in her daughter's living arrangements from her original filing in 2004.

In an interview with the investigating agent, HARMSEN admitted to filing false reports with the SSA about her daughter's custody and living arrangements. HARMSEN also admitted that the money she received from SSA for the care and benefit of her daughter was not used for that purpose.

As a result of the false statements, SSA paid HARMSEN approximately $15,935 that she was not entitled to receive. On July 23, 2007, after being confronted with the evidence in this case, HARMSEN repaid SSA in the amount of $15,935.

Assistant U.S. Attorney Leif M. Johnson prosecuted the case for the United States.

The investigation was conducted by the Inspector General's Office for the Social Security Administration.

SCOTT WILLIAM HILGERS and TODD JEREMY RICE
(HILGERS & RICE)

SCOTT WILLIAM HILGERS, age 34, and TODD JEREMY RICE, age 34, were sentenced.

HILGERS was sentenced to a term of:

- Prison: 60 months, consecutive to state sentence
- Special Assessment: $100
- Restitution: $1,539
- Supervised Release: 5 years

RICE was sentenced to a term of:

- Prison: 12 months
- Special Assessment: $100
- Restitution: $1,539
- Fine: $15,000
- Supervised Release: 5 years

They were sentenced in connection with their guilty pleas to conspiracy to scheme to defraud mortgage companies/wire fraud.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In 2004, HILGERS, a Helena mortgage broker, was introduced by a local realtor to RICE. Beginning in October of 2004, HILGERS assisted RICE in obtaining 100% financing on four residential properties in the Helena area.

HILGERS worked for a company called TriWest Mortgage. Between October of 2004 and October of 2005, HILGERS brokered mortgages for RICE'S purchase of four residences in the Helena area. The total mortgage liability was over $686,000. All properties were financed to 100% of their value. RICE did not have sufficient income to justify the mortgage exposure caused by any one of these mortgages, much less all of them. HILGERS and RICE then agreed to have RICE concoct fictitious income documentation for the mortgage file. Using his computer, HILGERS generated counterfeit W-2 forms and wage statements that indicated that RICE was employed by either Davron Telco (2002-2003) or Northwest Wireless (2004-2005). The two reported to the mortgage file that RICE was employed by Davron in 2002 and had made $51,975, when in truth, RICE had not worked for Davron. False documents attached to the file indicated that RICE had made $54,926 from employment with Davron in 2003, when in truth, RICE had not worked for Davron and had a reported gross income of only $28,515 in 2003. The paperwork indicated that in 2004, RICE earned $67,815 from Northwest Wireless, when in truth, RICE had not worked for Northwest Wireless in 2004 and had a reported gross income of only $19,170 for that year. Finally, HILGERS and RICE put documentation – a purported wage and earnings statement – into the mortgage files that RICE had been paid by Northwestern Wireless $48,489 as of August 31, 2005, when in truth RICE had not been paid any wages by Northwestern Wireless.

A borrower who is going to use the purchased property for his own personal residence can, under certain circumstances, qualify for 100% financing. For the purchase of the four aforementioned properties, RICE represented on Fannie Mae Forms 1003, Occupancy Statements and Loan Applications, that each residence would be his primary home. In addition, he made the same representation in the purchase of two other Helena properties through another mortgage broker. However, except as

necessary to make minor repairs, RICE never occupied the residences and rented them out. This placed the ultimate purchasers of the mortgage fraudulently obtained at greater risk, and allowed RICE to obtain a better interest rate than would have been negotiated had the two men been honest in their representations as to occupancy of the residences.

Three separate mortgage companies purchased the mortgages on the secondary market. Representatives of each company have confirmed that had they been aware of the falsifications in the mortgage files created by HILGERS and RICE, they would not have funded the mortgage proposals for these properties. Using that as a guide for loss on the four properties charged in the indictment, the loss is approximately $686,000 to the mortgage companies and over $11,242 to TriWest (for the commissions they paid HILGERS for the fraudulent mortgage packages).

If compelled to fund the mortgages, the companies would have charged higher rates of interest. Using that as a basis for loss on the properties, HILGERS and RICE would have defrauded the secondary mortgage companies in an approximate amount of $70,139.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was conducted by a cooperative effort between the Helena Police Department and Federal Bureau of Investigation.

JENNIFER ELAINE HIRSCHFIELD

JENNIFER ELAINE HIRSCHFIELD, a 33-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 16 months
- Special Assessment: $100
- Restitution: $82,608
- Supervised Release: 3 years

HIRSCHFIELD was sentenced in connection with her guilty plea to theft of federal money.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

D.P. applied for Social Security disability insurance benefits on December 15, 1994. He served as his own payee before suffering a severe head injury in 1998 while living in Evergreen, Colorado. Due to the extent of D.P.'s injuries, he was no longer able to manage his own financial affairs.

On February 16, 1998, D.P.'s daughter, HIRSCHFIELD, applied to be selected as D.P.'s representative payee, someone appointed by the Social Security Administration (SSA) to receive and manage a beneficiary's monthly payments on their behalf. On this application, HIRSCHFIELD made the following statements:

- "I understand that: I must use all payments made to me as the representative payee for the claimant's current needs or (if not currently needed) save them for his/her future needs;" and,

- "I agree to: Use the payments for the claimant's current needs and save any currently unneeded benefits for future use."

Based upon this application, HIRSCHFIELD began receiving monthly payments on D.P.'s behalf on March 3, 1998. She continued receiving monthly payments for D.P. through November 3, 2006, when SSA changed the representative payee to the Center Director at the VA Medical Center in Ft. Meade.

D.P. moved into the Ft. Meade Medical Center in March 1998, and has lived there ever since. All of D.P.'s living expenses were covered by the VA, and the agency maintained an account for him for his spending money. The VA's records, dating back to his admission in 1998 and continuing through August 2006 when the VA became his representative payee of D.P.'s SSA monies, indicate that 47 deposits were made to the account totaling $12,235. According to the Social Security Administration, between March 3, 1998 and November 3, 2006, there were 104 payments issued to HIRSCHFIELD for the benefit of D.P. totaling $94,843.

At D.P.'s request in September of 2006, the VA sent a letter to Judge Rodgers in Jefferson County, Colorado, regarding the fact that HIRSCHFIELD, the court-appointed guardian and conservator of D.P.'s estate, had failed to provide D.P. with access to his benefit monies. The VA indicated that D.P. wished to receive all of his entitled earnings for his personal use and would no longer like HIRSCHFIELD to serve as his conservator. The letter contained D.P.'s signature as well as that of a VA representative.

Judge Rodgers called a hearing on the matter, which eventually resulted in HIRSCHFIELD being removed as D.P.'s conservator.

HIRSCHFIELD was interviewed by an agent from the Office of Inspector General for SSA. She said she knew the funds she received on D.P.'s behalf were for his current needs and that any leftover funds were to be saved for his future needs. She also admitted that she had received all of the funds SSA administered on D.P.'s behalf between March 3, 1998, and November 3, 2006. HIRSCHFIELD identified her signature on the backs of several of the checks issued to D.P. and said she deposited the checks into her account with Montana Federal Credit Union in Great Falls. HIRSCHFIELD admitted that when she was experiencing financial hardships several

years ago, she began using her father's money to get by.

HIRSCHFIELD explained that she did not write checks from the account. Rather, she would make cash withdrawals from the account and pay her bills with money orders or pay local bills in person. HIRSCHFIELD reviewed the records from D.P.'s account with Ft. Meade documenting the funds she had sent to her father since his admission. She agreed that the amounts seemed accurate. Prior to 1999, when HIRSCHFIELD left for Germany, she said she would occasionally give her father cash during her visits to Ft. Meade.

HIRSCHFIELD admitted receiving Representative Payee Reports from SSA. She thought she recalled returning several of the forms, but admitted she had never returned the most recent form covering the period of January 2004 through November 2006. HIRSCHFIELD said she knew she had misused the funds she received during that period and was therefore reluctant to respond to SSA's inquiry. HIRSCHFIELD admitted that she knew she was not entitled to her father's benefits, and that what she did was wrong.

D.P. was re-contacted by law enforcement. D.P. said he never made special arrangements with HIRSCHFIELD regarding his SSA benefits. He said he never told HIRSCHFIELD she could use the funds for her own expenses. Furthermore, D.P. said he felt he did not have enough spending money for his personal expenses at Ft. Meade.

Assistant U.S. Attorney Carl L. Rostad prosecuted the case for the United States.

The investigation was conducted by the Inspector General's Office for the Social Security Administration.

ADLE JACKSON

ADLE JACKSON, a 49-year-old resident of Lakeside, was sentenced to a term of:

- Probation: 3 years
- Special Assessment: $100
- Restitution: $2,000
- Community Service: 100 hours

JACKSON was sentenced in connection with her guilty plea to theft of government property.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On September 9, 2005, JACKSON filed an online application for disaster relief with the

Federal Emergency Management Agency ("FEMA"). In that application, JACKSON stated that her home and personal property were damaged on August 29, 2005, during Hurricane Katrina. JACKSON also stated that she was living in New Orleans during the hurricane. She claimed disaster-related medical expenses in the amount of $767 and a pre-disaster gross income of $15,000.

On September 12, 2005, based on JACKSON'S application, she received an electronic funds transfer from FEMA in the amount of $2,000. The funds were transferred into JACKSON'S checking account.

FEMA later performed an audit of disaster assistance payments and discovered that JACKSON did not maintain a residence in New Orleans during the hurricane was not entitled to the $2,000 in disaster relief.

On November 29, 2006, FEMA directed JACKSON to return the $2,000 within 30 days to avoid interest and penalties and notified JACKSON of her right to appeal the agency's decision. JACKSON did not appeal the decision and did not return the $2,000.

On April 29, 2008, a Secret Service agent interviewed JACKSON near her home in Lakeside. JACKSON admitted that she did not maintain a residence in New Orleans during Hurricane Katrina and was not entitled to disaster assistance. She stated that she was in New Orleans during the hurricane staying with friends, but could not provide the address where she stayed. After the hurricane she returned to her home in Montgomery, Alabama.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was conducted by the U.S. Secret Service.

SHANADOA WAYNE JOHNSON

SHANADOA WAYNE JOHNSON, a 30-year-old resident of Marysville, California, was sentenced on the charge of misuse of a Social Security number.

JOHNSON was sentenced to a term of:

- Prison: 6 months, consecutive to a state sentence
- Special Assessment: $100
- Supervised Release: 3 years

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On May 15, 2006, at Bozeman, JOHNSON applied for a Montana driver's license

through the Montana Motor Vehicle Division falsely representing Social Security number ***-**-9774 to be his own number.

The United States would have presented documentation establishing that JOHNSON utilized the name *Shaun Wayne Wise* and Social Security number ***-**-9774 in completing the State of Montana Application for Driver's License Form. The driver's license photograph of JOHNSON associated with the application would have also been presented as evidence.

Testimony and documentation would have established that Social Security number ***-**-9774 is not assigned to JOHNSON and that he has his own Social Security number (***-**-4790) assigned to him.

Assistant U.S. Attorney Michael S. Lahr prosecuted the case for the United States.

The investigation was conducted by the Inspector General's Office for the Social Security Administration.

RYAN JAMES LARSON

RYAN JAMES LARSON, a 34-year-old resident of Highwood, was sentenced to a term of:

- Prison: 12 months
- Special Assessment: $100
- Fine: $10,000
- Supervised Release: 2 years

LARSON was sentenced in connection with his guilty plea to conversion of secured property.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

The Commodity Credit Corporation (CCC), an agency of the Farm Services Administration (FSA) and the U.S. Department of Agriculture, provides agricultural producers with operating loans and then collateralizes those loans with the commodity, stored on the farm, to insure repayment of the loans in the event of default. One primary benefit for wheat and feed grains producers is a CCC nonrecourse loan at harvest time. To qualify, a farmer pledges his crop as collateral and agrees to store it, usually for 9 months; he can later choose either to repay the loan or to forfeit his crop to the CCC to satisfy repayment. The loan is based on a per-bushel (or per-pound) rate; it serves as the lowest price a participating farmer will have to take for his crop. In some years, wheat and feed grains producers are permitted to, in effect, extend their loans by keeping their crops in longer storage under the farmer-owned reserve program.

In August 2006, LARSON, acting as power of attorney for Sorenson Grain Farm Partnership (SGF), applied for and received a farm-stored loan for dry peas and hard red winter wheat for the quantity of dry peas and hard red winter wheat that was equal to or less than the recorded service measurement. LARSON, partner of and bookkeeper for SGF, certified in writing that SGF had a beneficial interest in the commodity, and the quantity of the commodity existed and was stored in the identified bins.

In August 2006, a field inspector for Teton County FSA conducted a measurement service for SGF of hard red winter wheat and dry peas. When it was verified that the collateralized commodity was in the bins identified, a CCC check in the amount of $149,278.36 was issued to SGF on August 15,2006, for 53,721 bushels of hard red winter wheat. Additionally, SGF received a CCC check in the amount of $24,646.20 on August 22, 2006, for 4,035 cwt of dry peas. The Farm Storage Loan Worksheets indicated that the bushel amounts used to determine the loan amounts issued to SGF, were less than or equal to those of the measurement service.

On December 11, 2006, G.L., acting as Power-of-Attorney for SGF, applied for and received a Farm Stored Loan on 6,400 bushels of durum wheat. She certified in writing that the quantity of the commodity existed and was stored in the identified bins. SGF received a CCC check in the amount of $20,627. G.L. later indicated that she was acting on instructions from LARSON when she applied for the loan and made the representations as to the existence and quantity of the commodity based upon what she was told by LARSON.

On May 8, 2007, FSA mailed two letters to SGF, which advised SGF that their loans for hard red winter wheat and dry peas would mature on May 31, 2007. SGF failed to repay the loans or to correspond with FSA. On June 11, 2007, FSA mailed additional letters to SGF with a Commodity Delivery Notice to forfeit the wheat and peas to CCC, pursuant to the loan contract and the terms relating to default.

When SGF failed to comply with or reply to the maturity letters sent in May, or the delivery notice sent in June, the County Executive Director of FSA ordered a spot check on the loans. FSA conducted a spot check on July 19, 2007, the results of which found that 6,400 bushels of mortgaged durum wheat were missing, 34,712 bushels of hard red winter wheat were missing, and 1,667.6 cwt of peas were missing. On July 20, 2007, Smith mailed SGF a letter that informed SGF of the grain shortages, the action being taken by FSA, and the monetary amounts due.

On July 23, 2007, LARSON contacted a program technician for FSA, and stated that the hard red winter wheat was currently being stored at Mountain View Co-op, and that he believed he had authorization to move the grain and peas. Scale tickets showed that Mountain View Co-op received 20,155.32 bushels of hard red winter wheat from SGF. Mountain View Co-op did not pay SGF because SGF failed to deliver 160,000 bushels of hard red winter wheat that was under contract. LARSON also asked if FSA

could force Mountain View Co-op to pay FSA for the grain Mountain View Co-op was holding.

The officer manger of Columbia Grain provided a copy of a check dated April 2, 2007, in the amount of $5,111.66 for dry peas, and a Purchase Settlement Sheet that showed the payment was for dry peas with a net weight of 622.63 cwt. FSA documented this payment and credited 803 cwt toward the dry pea loan, although marketing authorization had not been obtained. Approximately 1,677.8 cwt of the dry peas were never located, nor did SGF pay the pea loan balance of $22,182,78.

A review of General Mills weight tickets and settlement sheets showed that on August 29, 2007, General Mills settled with SGF for 5,773 gross bushels of durum wheat delivered between July 9 and 11, 2007. General Mills wrote a check in the amount of $23,629.52 to CCC paying the durum wheat farm-stored loan G.L. received in December 2006. SGF did not obtain marketing authorization for this settlement. The payment was made after the maturity date of the loan had expired.

A review of the 20 scale tickets and Purchase Settlement Sheet showed that not a single load of wheat was delivered under a marketing authorization. Prior to their loan disbursement dates, Hall discussed with both LARSON and G.L. the regulations and procedures on what to do if they wanted to move or sell the grain before the maturity date of the individual loans. Hall had them each sign a document certifying they understood the instructions and regulations.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was conducted by the Office of the Inspector General for the U.S. Department of Agriculture.

RICHARD R. LAUFER, III

RICHARD R. LAUFER, III, a 42-year-old resident of Billings, was sentenced to a term of:

- Prison: 57 months
- Special Assessment: $200
- Restitution: over $13,000
- Supervised Release: 3 years

LAUFER was sentenced in connection with his guilty plea to fraud and identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

During the morning of May 5, 2007, LAUFER called the Bank of America Visa card

center to verify the account information on his father's business card twice. He verified the business phone and street address. When he was told that the account he was calling on was closed, he opened a new account.

Early in the morning on May 10, 2007, LAUFER called again from his cell phone.

Using the card number he had obtained by posing as his father, along with the card information of several other victims, LAUFER went on a spending spree in Billings, which included the following:

- On May 11, 2007, LAUFER used his father's credit card number seven times at Montana Jack's in Billings for a total of $3,500, all cash advances;
- Between May 6, 2007, and May 11, 2007, LAUFER used his father's credit card at other casinos for roughly an additional $2,000;
- On April 30, 2007, LAUFER used credit cards belonging to female individuals five or six times for cash advances over $2,000 at Pug Mahon's in Billings;
- Between May 22, 2007, and May 31, 2007, LAUFER used a male individual's credit card (at the time, this individual was serving in Iraq) 38 times for a total $8,230, mostly at casinos for cash advances;
- Between May 19, 2007, and May 25, 2007, LAUFER used another male individuals's credit card 12 times for a total of $2,068 at hotels and casinos;
- Between May 4, 2007, and May 21, 2007, LAUFER used a third female individual's credit card 14 times for a total of $2,823 at hotels, casinos and a gas station;
- Sometime in May 2007, LAUFER used a third male individual's credit card numerous times for a total of $6,834;
- Sometime in May 2007, LAUFER used a fourth male individual's credit card numerous times for a total of roughly $3,500; and
- Sometime in May 2007, LAUFER used a fourth female individual's credit card numerous times for a total of over $1,000.

LAUFER was arrested on June 5, 2007. He was found with five Social Security cards, hand-written scripts related to posing as a credit card investigator, a stolen credit card, numerous credit card numbers with expiration dates, various hats and jackets that LAUFER was seen wearing on surveillance videos at establishments where he used stolen credit cards, and personal information on individuals he had stolen credit cards from. He was driving a Hummer3 that he had rented on his father's credit card.

Part of LAUFER'S scheme involved calling ahead and putting food and hotels on other people's card numbers. LAUFER would call people posing as a credit card fraud investigator to get their credit card numbers.

Assistant U.S. Attorney Eric B. Wolff prosecuted the case for the United States.

The investigation was conducted by the U.S. Secret Service.

AUSTIN JAY MANCHA

AUSTIN JAY MANCHA, a 25-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 24 months
- Special Assessment: $100
- Restitution: $200
- Supervised Release: 3 years

MANCHA was sentenced in connection with his guilty plea to conspiracy to manufacture counterfeit currency.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 27, 2007, the undisputed leader of the counterfeiting ring, hereafter referred to as "John Doe", MANCHA, and others went to Wal-Mart where they purchased a stereo (to return for cash), a printer, tape, scissors, paper and a ruler (requested by "John Doe") using a fraudulent check.

"John Doe", MANCHA, and two others then went to "John Doe's" home to begin processing counterfeit currency. "John Doe" printed counterfeit currency with the assistance of MANCHA and two other individuals. "John Doe" began by using concrete cleaner – a purple liquid – to bleach genuine $5 and $10 federal reserve notes. The conspirators then used the bleached paper to print counterfeit $100 federal reserve notes.

"John Doe" was arrested at the Longhorn Casino in Great Falls on April 10, 2007, for passing and possession of counterfeit currency. Upon "John Doe's" arrest, his wife went to MANCHA'S residence where the printer and a bag of uncut counterfeit currency was held. "John Doe's" wife and MANCHA threw the printer and bag of uncut currency in the garbage dumpster. "John Doe's" wife also took a large bottle of the concrete cleaner back to her residence and retrieved a second bag of uncut currency and a second bottle of concrete cleaner. She then went to his sister's apartment – across the hall from "John Doe's" apartment - and she and her sister flushed the evidence down the toilet and sink. The sink and toilet became plugged and the landlord had to take down part of the wall to repair the plumbing.

On April 11, 2007, a waste treatment plant employee discovered a $100 federal reserve note floating in the water. The employee took the note to a bank and determined it was

counterfeit. The employee then took the note to the Great Falls Police Department and turned it over to police. The note had the same serial number as one used by "John Doe" and it was printed on bleached genuine federal reserve note paper.

Also on April 11, 2007, three additional counterfeit bills – matching those passed by "John Doe" at the Longhorn Casino – were passed at Wal-Mart.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Secret Service and the Great Falls Police Department.

BRENDA McDOUGAL

BRENDA MCDOUGAL, a 41-year-old resident of Browning, was sentenced to a term of:

- Prison: 7 months (community confinement)
- Special Assessment: $100
- Restitution: $46,638.64
- Supervised Release: 3 years

MCDOUGAL was sentenced in connection with her guilty plea to theft and bank fraud.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From May 26, 2005, to September 19, 2005, McDOUGAL stole $61,638.64 from an individual in Browning.

On December 4, 2005, McDOUGAL sent a letter to the individual in which she admitted she had stolen the above-referenced funds.

McDOUGAL paid back $5,000 on March 3, 2006, and $10,000 on August 11, 2006, leaving the total restitution still owing at $46,638.64.

Assistant U.S. Attorney Vince Carroll prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation in Browning.

TAMARA DENISE MINOR

TAMARA DENISE MINOR, a 36-year-old resident of Los Angeles, California, was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $100
- Restitution: Final amount to be determined within 90 days
- Supervised Release: 3 years

MINOR was sentenced in connection with her guilty plea to conspiracy to commit bank fraud.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

MINOR and other individuals were involved in a crime ring involving fraudulently obtaining the personal and identifying information from customers at large national banks and obtaining money based on identity theft throughout the United States.

MINOR is individually responsible for unlawfully obtaining over $70,000 in bank funds by fraudulently assuming at least 14 different identities at various Wells Fargo branches. MINOR and the other individuals also used false identities to obtain in-store credit at major retailers and purchased thousands of dollars in high-end goods under assumed names. All told, MINOR and the other individuals are responsible for hundreds of thousands in loss.

On January 9, 2008, MINOR and other individuals traveled into Montana with numerous stolen identities in their possession. These included names and account numbers of Wells Fargo bank customers, along with counterfeit driver's licenses and credit cards in the customers' names. Many of these materials were recovered by law enforcement officers when the group was arrested, along with a substantial amount of cash. By the time MINOR'S group reached Montana, she had used up all of her identities in Idaho, and could no longer enter bank branches to fraudulently withdraw funds. However, between January 8, 2008, and January 9, 2008, MINOR had used false identities to withdraw and attempt to withdraw cash by impersonating bank customers in Salt Lake City, Utah, Twin Falls and Pocatello, Idaho.

MINOR admitted her involvement in the conspiracy and also admitted that she had assumed various identities to conduct fraudulent bank withdrawals with the other two individuals and unnamed co-conspirators.

Assistant U.S. Attorney Ryan M. Archer prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

GRAHAM KENNETH MOORHOUSE

GRAHAM KENNETH MOORHOUSE, a 60-year-old resident of Alberta, Canada, was sentenced to a term of:

- Prison: 128 days, time served
- Supervised Release: 2 years

MOORHOUSE was sentenced in connection with his guilty plea to making false statements.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On July 12, 2008, MOORHOUSE arrived at the Sweetgrass Port of Entry commercial truck inspection lane inbound from Canada. He was hauling a commercial load of vegetables destined for Los Angeles, California. MOORHOUSE presented a commercial driver's license in the name of Court Kenneth Wilson, with a date of birth of November 8, 1950, and bearing MOORHOUSE'S photograph. MOORHOUSE was sent to the commercial secondary inspection area for further processing of the load and routine computer queries.

Once in the secondary area, computer records appeared to indicate that MOORHOUSE may be using an alias for a person with an extensive criminal record and previous immigration violations. MOORHOUSE completed and signed an immigration declaration form in the name of Court Kenneth Wilson with a November 8, 1950, birth date. MOORHOUSE indicated on the form that he had only been arrested, fingerprinted, and convicted for a pending driving while intoxicated offense and a theft charge in Canada. MOORHOUSE also indicated he had never been deported from the United States or used any other names.

A query of MOORHOUSE'S fingerprints resulted in the discovery of an FBI record and an alien file. These records identified him as Graham Kenneth Moorhouse, who was deported from the United States through San Diego on February 7, 1968. MOORHOUSE was asked if he had ever been deported and finally admitted that he had. He also admitted that he was a citizen of Canada, born in Vancouver, British Columbia, on November 8, 1947. MOORHOUSE further stated he had never legally changed his name to Court Kenneth Wilson and that he had lied to CBP officers because he knew he would be denied entry to the United States due to his criminal history and prior deportation. MOORHOUSE stated he could not remember what he provided to Alberta provincial driver licensing officials as proof of identity, but that he had created the name and identity "Court Kenneth Wilson" approximately twenty years prior.

A review of Canadian criminal history data indicated MOORHOUSE had been convicted in Canada of numerous criminal charges which included: forgery; uttering forged documents; false pretenses, dealing in forged documents; possession of narcotics; possession of stolen property; using a stolen credit card; theft of an auto; and attempt to escape custody. This criminal history spans from 1966 to 1984.

MOORHOUSE further admitted to an arrest for shoplifting in Davenport, Iowa, in 1992.

Assistant U.S. Attorney George F. Darragh prosecuted the case for the United States.

The investigation was conducted by the U.S. Customs and Border Protection, Office of Field Operations, Port of Sweetgrass.

JEFFREY SCOTT MYRE

JEFFREY SCOTT MYRE, a 27-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 10 months, consecutive to another sentence
- Special Assessment: $100
- Restitution: $200
- Supervised Release: 3 years

MYRE was sentenced in connection with his guilty plea to conspiracy to manufacture counterfeit currency.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 27, 2007, the undisputed leader of the counterfeiting ring, hereafter referred to as "John Doe", Austin Mancha, MYRE and others went to Wal-Mart where they purchased a stereo (to return for cash), a printer, tape, scissors, paper and a ruler (requested by "John Doe") using a fraudulent check.

"John Doe", Mancha, MYRE and two others then went to "John Doe's" home to begin processing counterfeit currency. "John Doe" printed counterfeit currency with the assistance of Mancha, MYRE and another individual. "John Doe" began by using concrete cleaner to bleach genuine $5 and $10 federal reserve notes. The conspirators then used the bleached paper to print counterfeit $100 federal reserve notes.

"John Doe" was arrested at the Longhorn Casino in Great Falls on April 10, 2007, for passing and possession of counterfeit currency. Upon "John Doe's" arrest, his wife went to Mancha's residence where the printer and a bag of uncut counterfeit currency was held. "John Doe's" wife and Mancha threw the printer and bag of uncut currency in the garbage dumpster. "John Doe's" wife also took a large bottle of the concrete cleaner back to her residence and retrieved a second bag of uncut currency and a second bottle of concrete cleaner. She then went to his sister's apartment – across the hall from "John Doe's" apartment - and she and her sister flushed the evidence down the toilet and sink. The sink and toilet became plugged and the landlord had to take down part of the wall to repair the plumbing.

On April 11, 2007, a waste treatment plant employee discovered a $100 federal reserve note floating in the water. The employee took the note to a bank and determined it was counterfeit. The employee then took the note to the Great Falls Police Department and turned it over to police. The note had the same serial number as one used by "John Doe" and it was printed on bleached genuine federal reserve note paper.

Also on April 11, 2007, three additional counterfeit bills – matching those passed by "John Doe" at the Longhorn Casino – were passed at Wal-Mart.

MYRE was interviewed about his role in the counterfeiting scheme and admitted he assisted in the making of the counterfeit currency.

Mancha pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Secret Service and the Great Falls Police Department.

KEVIN KRISTEN O'CONNELL

KEVIN KRISTEN O'CONNELL, a 33-year-old resident of Buffalo, New York, was sentenced to a term of:

- Prison: 12 months
- Special Assessment: $100
- Restitution: $17,088.40
- Supervised Release: 3 years

O'CONNELL was sentenced in connection with his guilty plea to credit card fraud.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

O'CONNELL was the chef at the *Grand Union Hotel* in Fort Benton. Sometime in 2002 he left the employment of the *Grand Union* and in December of 2002, O'CONNELL and two partners, opened a joint business account at Heritage Bank in the name of "Blue Smoke" for the purpose of funding a restaurant known as the *Indigo Lounge* in Great Falls. The account was only accessible to O'CONNELL and one of his business partners.

From October 26, 2003, through May 23, 2005, the credit card processing company known as NOVA was utilized by the *Indigo Lounge* to process all credit card purchases. During the time NOVA was utilized by the *Indigo Lounge*, the following unauthorized purchases were made to the benefit of the business:

- On March 2, 2005, a corporate credit card registered to a pharmaceutical sales rep from Eli, Lilly and Company, was used to pay for a banquet dinner at the *Indigo Lounge*. The card was legitimately charged $1,571 for the banquet. Several days after the event, on March 8, 2005, the card was again charged, this time fraudulently, to obtain $3,142 from the credit card account.

- In March of 2005, a corporate card registered to an employee of the Burlington Northern Sante Fe Railroad was used to pay for an event at the *Indigo Lounge*. The card was legitimately charged $2,870 for the catering service. On March 11, 2005, the card was fraudulently charged two more times taking another $5,120 from that corporate account.

Consequently, NOVA canceled their contract with the *Indigo Lounge* to provide credit card services. The *Indigo Lounge* then contracted with Heartland Payment Systems to provide credit card services. The following transactions occurred:

- A vendor who had a business arrangement with O'CONNELL to sell wines from her winery to the *Indigo Lounge* occasionally dined at the *Indigo Lounge* in 2004 and 2005. On June 24, 2005, her VISA credit card account was charged $2,615, even though she had not patronized the restaurant for some time prior to that day and never for that amount.

- In December of 2004, a local dentist held a Christmas dinner banquet at the *Indigo Lounge* for his office staff and co-workers. The banquet cost the dentist $800, which he charged to his Mastercard credit card. Six months later, on June 27, 2005, the same credit card account was fraudulently charged $2,615.

- On May 23, 2005, a local businessman used his corporate American Express credit card to pay for a luncheon at the *Indigo Lounge.* The account was legitimately charged $105 for the luncheon. The following day the same corporate credit card account was fraudulently charged $3,127.50. On May 25, 2005, the same account was fraudulently charged $4,260. On June 1, 2005, the same account was fraudulently charged $3,415. On June 9, 2005, the same card was fraudulently charged $3,417. On June 19, 2005, the account was fraudulently charged $3,417. On June 22, 2005, the same card was charged $3,415. On June 23, 2005, the same business account was fraudulently charged $3,816 and $3,127.50; and finally, on June 24, 2005, the same card was fraudulently charged $2,712.

A review of the bank account records for the *Indigo Lounge* indicate that after each fraudulent credit card transaction described above, O'CONNELL would write checks off the account and deplete, generally, the entire amount of the fraudulently obtained and

deposited funds.

The total amount of the fraudulent credit card account transactions was $44,209.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement and the Great Falls Police Department.

APRIL LYNN PALMER

APRIL LYNN PALMER, a 34-year-old resident of Billings, was sentenced to a term of:

- Home Confinement: 6 months
- Special Assessment: $100
- Probation: 12 months

PALMER was sentenced in connection with her guilty plea to bankruptcy fraud.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

PALMER operated Total Class Escorts from her home in Billings. Customers located PALMER in the Billings Gazette or the local phone directory. PALMER would dispatch call girls as escorts. When the girls were dispatched, they would negotiate with the client regarding what services would be provided and how much would be charged for those services. Some of these calls resulted in payment for sexual acts. There was a base fee of $160 per hour.

The money collected for sexual acts was entirely retained by the escort, along with half of the hourly fee. The remaining cash was collected by PALMER. PALMER would either ask the escort to bring the money to her residence, or her significant other, K.S., would drive to a designated meeting place and obtain the cash for PALMER.

PALMER accounted for the cash garnered from the escort business by recording information regarding the escort calls in ledgers. Copies of these ledgers were seized pursuant to a search warrant and they provided cash flow information. K.S. has confirmed that these ledgers were created and maintained by PALMER and he did not have any involvement in maintaining the ledger.

In December 2002, PALMER filed for bankruptcy. In her supporting schedules, she indicated that she did not have any business income and only earned an income of $600 per month. However, the ledgers confirm that Total Class Escorts earned $35,967 in 2002. PALMER'S bankruptcy was discharged under Chapter 7 on April 22, 2003, and she thereby erased thousands of dollars of debt. However, in 2003 her

business earned $61,845 which she never disclosed to the trustee. The trustee has stated that had he known about this income, PALMER never would have been discharged under Chapter 7 and he would have set up a payment plan with her creditors.

Assistant U.S. Attorney Ryan M. Archer prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

BRENDON KEITH RETZ

BRENDON KEITH RETZ, a 39-year-old resident of Whitefish, was sentenced to a term of:

- Probation: 5 years, with 3 months house arrest with electronic monitoring
- Community Service: 100 hours
- Special Assessment: $900

RETZ was sentenced in connection with his guilty plea to wire fraud and money laundering.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In July of 2000, Donald G. Abbey purchased Shelter Island located in Flathead Lake. After the purchase, the realtor introduced Abbey to RETZ, the general contractor and owner of Timberland Construction Incorporated (TCI).

In approximately June of 2001, Abbey and RETZ became business partners, forming Timberland Construction LLC (TCLLC). The partnership agreement governed TCLLC's construction of Abbey's Shelter Island Project.

In November of 2002, Abbey became concerned about distributions being made by TCLLC and asked RETZ for financial documentation reflecting justification for these distributions. Uncomfortable with RETZ'S responses to his requests and his failure to provide financial justification, Abbey hired an accounting firm to conduct a review.

As a result of the accounting firm's review, Abbey elected to terminate his partnership with RETZ in August of 2003. Abbey stopped depositing monies into the various financial institutions which held accounts to finance TCLLC projects. Since Abbey was no longer providing cash flow or a paycheck to RETZ, RETZ became financially constrained. RETZ decided to raise money through various credit cards.

RETZ'S parents owned and operated the North Forty Resort at Columbia Falls. During

September of 2003, RETZ swiped his American Express and Bank of America credit cards through the North Forty Resort merchant credit machine five times, each time falsely representing that a customer was purchasing lodging. By making these false statements to the credit card company, RETZ fraudulently obtained a total of $197,000.

These amounts, less fees, were electronically transmitted and deposited into the North Forty Resort's bank account at Glacier Bank of Whitefish. RETZ then laundered the proceeds from the above financial transactions by depositing the money into his personal bank accounts.

Assistant U.S. Attorney Kris A. McLean prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Criminal Investigation Division of the Internal Revenue Service.

NOAH ROBINS

NOAH ROBINS, a 24-year-old resident Billings, was sentenced to a term of:

- Prison: 70 months
- Special Assessment: $200
- Restitution: $17,479.26
- Supervised Release: 5 years

ROBINS was sentenced in connection with her guilty plea to bank fraud and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Between March 5, 2005, and November 10, 2005, ROBINS was employed as the office manager of Yellowstone Group Realtors in Billings.

During this time period, ROBINS made out checks to herself as the payee using checks from the Yellowstone Group account. ROBINS then forged the name of her supervisor on the checks as the signor.

ROBINS cashed and/or deposited 32 checks totaling $19,004.52 into her personal account at a different bank in Billings.

First Assistant U.S. Attorney Kurt G. Alme prosecuted the case for the United States.

The investigation was a cooperative effort between the Secret Service and the Billings Police Department.

WADE ROLAN RODGERS

WADE ROLAN RODGERS, a 35-year-old resident of Sidney, was sentenced to a term of:

- Probation: 5 years, with 6 months home arrest
- Special Assessment: $100
- Restitution: $150,107.53

RODGERS was sentenced in connection with his guilty plea to conspiracy to alter vehicle identification numbers, buy, receive or possess vehicles or vehicle parts knowing the identification numbers had been altered, and/or commit wire fraud by giving up vehicles and filing false insurance claims.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Beginning in approximately September of 1999, and continuing until at least April 2, 2002, RODGERS, Thomas Fitzpatrick, Cameron William Swift, Dustin Avery Spangle, Michael Joseph Stanisich, and other individuals were involved in a chop-shop conspiracy. Some of the individuals stole vehicles, usually from automobile dealerships, and provided the vehicles to RODGERS and to another co-conspirator. Other conspirators participated in "owner give-ups" of their vehicles by providing the keys to another person and then filing false police reports asserting that the vehicles had been stolen. In addition to the police reports, the individuals who engaged in owner give-ups also filed false insurance claims in order to fraudulently obtain the proceeds of their policy coverage.

RODGERS, who ran a body shop in a building located on land owned by one of the co-conspirators, received many of the stolen and surrendered vehicles from this individual and others, several of which RODGERS provided to Tom Fitzpatrick.

On November 9, 2002, Flathead County Sheriff's officers executed a search warrant at Fitzpatrick's M&T Auto Body property and another co-conspirator's residence. At this co-conspirator's property, in and around the shop rented and run by RODGERS, officers recovered the following vehicle parts:

(1) The engine to a 1999 gray Chevrolet Tahoe that had been reported stolen by Thrifty Car Rental in Spokane on April 21, 2001;
(2) The engine to the 2001 Dodge pickup that was stolen in the spring of 2001 in Kalispell; and,
(3) Four doors from the 2001 Chevrolet Geo Tracker that was stolen in May of 2001 in Whitefish.

One of the co-conspirators was interviewed on several occasions by law enforcement

and admitted to his involvement in the conspiracy. He described in detail his role in the theft and receipt of several vehicles and further described providing those vehicles to either RODGERS or Fitzpatrick. He relayed the details of several thefts during which he was accompanied by RODGERS, who usually fulfilled the role of a lookout. Those thefts include:

(1) A 1999 Chevrolet pickup truck stolen on September 19, 1999. This individual and RODGERS traveled to Spokane, Washington, and used a copied key to gain entry into the vehicle. They stole the truck and transported it back to RODGERS' residence on Whitefish Stage Road near Kalispell.

(2) A 2001 Dodge Ram pickup truck stolen in Kalispell between March 15, 2001 and April 30, 2001. RODGERS obtained a key for the vehicle and requested that the co-conspirator assist him in the theft. The co-conspirator agreed, accompanied RODGERS to the lot, and drove the truck to his property, where it was secured in the shop rented by RODGERS.

(3) A 2001 Chevrolet Geo Tracker that was stolen in Whitefish on or about May 20, 2001. RODGERS requested the co-conspirator's assistance in stealing the Tracker and the co-conspirator agreed. RODGERS acted as a lookout and the co-conspirator broke into the lock box to obtain a key and drove the vehicle off the lot and over to the shop on his property rented by RODGERS. The co-conspirator later helped RODGERS dismantle the vehicle and dispose of unwanted parts, including dumping the engine at the Flathead County landfill. The Flathead County Sheriff's Office eventually recovered the engine from the landfill.

(4) A 1999 Ford pickup truck that was stolen in Whitefish on October 24, 2001. The co-conspirator and RODGERS stole the truck and RODGERS "chopped" it up and provided the engine to the co-conspirator.

The co-conspirator also detailed at least one owner give-up involving RODGERS. Specifically, he described traveling with Michael Stanisich to Missoula on July 9, 2000, to "steal" a 1996 Ford Explorer that belonged to Stanisich. The co-conspirator provided that vehicle to RODGERS, who later provided it to yet another co-conspirator. The theft was reported by Stanisich's mother, who was driving the Explorer at that time, and she also filed an insurance claim on the vehicle.

Fitzpatrick, Swift, Spangle, and Stanisich pled guilty and have been sentenced.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Flathead County Sheriff's Office.

NANCY FLORENCE SHORT

NANCY FLORENCE SHORT, a 63-year-old resident of Billings and Cody, Wyoming, appeared for sentencing. SHORT was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $200
- Restitution: $277,707.63
- Supervised Release: 3 years

SHORT was sentenced in connection with her guilty plea to concealment of assets and making a false declaration or statement.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On or about August 12, 2002, when SHORT executed her bankruptcy schedules and continuing thereafter to date, SHORT knowingly and fraudulently concealed from the trustee in her bankruptcy, the following property:

- more than $7,000 in a Big Horn Federal Credit Union Bank account, while reporting in her bankruptcy schedules only $175 in the account;
- failed to disclose her interest in furniture and appliances purchased for more than $10,000 within the year prior to the bankruptcy, while only reporting a TV valued at $50 and dishes valued at $25; and,
- failed to disclose her true ownership interest in real property located in Shepherd valued in excess of $200,000 at the time of the filing of the bankruptcy.

Additional evidence would have been submitted which would have included:

- bank statements, deposits, and cancelled checks from the Big Horn Federal Credit Union showing over $7,000 in the Big Horn Federal Credit Union account at the time SHORT signed her bankruptcy schedules on August 12, 2002, and that SHORT wrote a check in excess of $5,000 on that account two days after signing bankruptcy schedules, despite her representation that she only had $175 in the account;
- checks from SHORT'S bank account to purchase furniture and appliances within one year of filing the bankruptcy, including checks for $1,747 to Ashley Furniture, $6,587 to Best Buy (with the memo section of the check stating it was

for appliances, a dryer and a microwave), $2,249 to Furniture Outlet, and many other purchases well in excess of $10,000; while on her bankruptcy schedules she represented that she only owned a TV valued at $50 and dishes valued at $25; and,

- real property located in Shepherd SHORT purchased in her own name for cash within one year prior to filing bankruptcy, on which she spent in excess of $37,000 to furnish and improve the house from her bank account, and only transferred the house to her boyfriend after her elderly mother's attorney requested the return of her mother's money.

Evidence would have been also been presented to show that SHORT and her boyfriend left town instead of appearing at bankruptcy hearings regarding the nature of a house ownership which had been obtained with cash from an equity loan borrowed on the Shepherd house to purchase a house in Tennessee, of which SHORT kept all of the proceeds upon its eventual sale.

On or about September 23, 2002, and continuing thereafter to date, SHORT knowingly and fraudulently made a false declaration and statements under penalty of perjury, in that at the bankruptcy meeting of creditors, SHORT was asked questions by the trustee and creditors regarding funds and property in her possession within one year prior of filing bankruptcy, and that she knowingly and falsely made the following false representations:

- SHORT represented that she transferred the Shepherd real property purchased for in excess of $140,000 to her boyfriend, claiming she owed him $150,000 for services in a laundry business, knowing the statement to be false;
- SHORT represented that she spent the remainder of the $300,000 from CDs she had cashed on her education and debts, knowing that statement to be false, in that she instead spent in excess of $40,000 purchasing furniture, appliances, and home improvements on the house she transferred to her boyfriend;
- transferred $90,000 of the CD funds into an Edward D. Jones account, which she also transferred to her boyfriend (which was later cashed out and deposited in the Big Horn Federal Credit Union bank account in Cody, Wyoming, in SHORT'S name); and,
- she spent a significant portion of the remaining funds on purchasing vehicles and gifts for family members.

Assistant U.S. Attorney Victoria L. Francis prosecuted the case for the United States.

The investigation was conducted by the Criminal Investigation Division of the Internal Revenue Service with assistance and support from Adult Protective Services.

CASSANDRA SOLBERG

CASSANDRA SOLBERG, a 23-year-old resident of Wolf Point, was sentenced to a term of:

- Prison: 10 months
- Special Assessment: $100
- Restitution: $23,500
- Supervised Release: 5 years

SOLBERG was sentenced in connection with her guilty plea to bank embezzlement.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On October 15, 2007, employees of the First Community Bank audited the vault and determined that all the funds balanced. However, the next day they had trouble balancing the amounts and determined that there were several irregularities with bills of mixed denomination out of order. Upon a closer audit, they discovered $13,000 missing from the vault.

When questioned, other bank employees told officers that SOLBERG had acted strangely in the vault. The First Community Bank was supposed to have a “dual control” procedure with two employees in the vault at all times, but had been short-handed for a while. SOLBERG always volunteered to do the vault audit and would wear baggy clothing. After completing a vault audit, SOLBERG frequently went to the personal room where employees kept their coats and purses. She was also known to pay off negative personal account balances with cash payments.

When interviewed, SOLBERG confessed to embezzling money from the bank. She admitted that she took money from the vault 3-4 days prior to the audit when she was going on vacation. In addition to the $13,000 from the vault, she confessed to force balancing her teller drawer and taking about $10,000 since January 2006. A subsequent audit showed her drawer to be $10,500 short. SOLBERG explained that she knew it was wrong, but could not resist the temptation once she started.

Assistant U.S. Attorney Ryan M. Archer prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

WYATT RICHARD STOKES

WYATT RICHARD STOKES, a 34-year-old resident of Conrad, was sentenced to a term of:

- Prison: 36 months
- Restitution: $246,796.25
- Supervised Release: 3 years

STOKES was sentenced in connection with his guilty plea to bankruptcy fraud.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In February of 2002, STOKES filed for Chapter 13 bankruptcy. His Chapter 13 plan was confirmed on October 1, 2002, and he received his discharge on September 8, 2005. Just before the bankruptcy trustee filed STOKES' discharge with the bankruptcy court, the owner of Bouma Truck Sales informed the trustee that STOKES had been working for him and he suspected that STOKES had concealed income from the trustee. Documentation provided by Bouma Truck Sales showed STOKES earned $218,076.55 from December 2003 through December 2005.

STOKES indicated on his bankruptcy schedules that his gross income was $1,500/month and his spouse's was $1,853/month. Based on this reported income, the trustee arranged STOKES' Chapter 13 Plan to include $200 monthly payments for 40 months. The trustee stated that he made it very clear in writing and verbally that STOKES was required to report any significant change in income so his payment plan could be amended if necessary. The trustee also explained that he had no knowledge of STOKES' employment with Bouma Truck Sales until the owner spoke to him in 2005.

The owner of Bouma Truck Sales specifically stated that STOKES worked for him from December 2003 through December 2005. The owner produced monthly payment records and 2004 and 2005 W-2's to confirm STOKES' earnings.

When STOKES was confronted with records of his income, he confessed to knowing he had an obligation to report his additional earnings and that he intentionally concealed his income checks from the trustee.

Assistant U.S. Attorney Ryan M. Archer prosecuted the case for the United States.

The investigation was conducted by the U.S. Secret Service.

BRYAN EDWARD STURGIS

BRYAN EDWARD STURGIS, a 42-year-old resident of Stevensville, was sentenced to

a term of:

- Probation: 5 years
- Special Assessment: $100

STURGIS was sentenced in connection with his guilty plea to making false representations of a Social Security number.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On June 22, 2005, at Stevensville, STURGIS falsely represented on employment forms that Social Security number ***-**-1501 was his own number.

Evidence would have shown that STURGIS had represented this same number to be his own at other times as well.

A Social Security Administration investigator would have provided testimony and documentation establishing that Social Security number ***-**-1501 is a valid number which was assigned to another person.

Further testimony and documentation would have also shown that Social Security number ***-**-1501 was never assigned to STURGIS and that he has his own Social Security number (***-**-2314) assigned to him.

Documentation would have been presented to show that STURGIS applied for and received a replacement Social Security card in 1996. On the application for replacement card, STURGIS correctly indicated that he had been assigned Social Security number ***-**-2314. No other Social Security card has been issued to STURGIS since 1996.

Assistant U.S. Attorney Michael S. Lahr prosecuted the case for the United States.

The investigation was conducted by the Inspector General's Office for the Social Security Administration.

JENNIFER KAY TUCKER

JENNIFER KAY TUCKER, age 39, was sentenced to a term of:

- Prison: 75 months
- Special Assessment: $200
- Restitution: $39,634.72
- Supervised Release: 3 years

TUCKER was sentenced in connection with her guilty plea to wire fraud and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From October of 2004, through February of 2005, JENNIFER TUCKER and her husband, Jesse Tucker, posed as other individuals and, using stolen credit card numbers, stayed at a number of resorts and hotels in Colorado, Idaho, Wyoming, Utah and Montana. While at the resorts, the TUCKERS used the stolen credit cards to purchase retail goods, food, and rooms.

In February of 2005, the Carbon County Sheriff's Office was called by employees at the Rock Creek Resort in Red Lodge due to the TUCKERS' suspicious activities, which included drug activity occurring in their hotel room. Officers discovered the TUCKERS were driving a stolen vehicle, and when they responded to the Rock Creek Resort, the TUCKERS fled from the scene. A high speed chase ensued and the TUCKERS were eventually caught near Joliet. During the chase, speeds exceeded 90 mph on snowy roads outside Red Lodge, officers locked down schools in Roberts and Joliet, and the TUCKERS were only stopped by spike strips laid across the road near Joliet. When arrested, the TUCKERS possessed drugs, drug making equipment, and over 1,500 stolen credit card numbers and names.

Ultimately, the TUCKERS victimized numerous businesses for a total actual loss close to $60,000. Items purchased included custom made rings, designer clothing, ski wear and other apparel and jewelry. JENNIFER TUCKER was interviewed and she admitted that Jesse Tucker would dumpster dive for credit cards. He would then call a resort and purport to be the individual who owned the credit card number. JENNIFER TUCKER stated that Jesse would tell the hotel that he had left his wallet in a previous hotel and ask if he could have it sent to the new hotel. JENNIFER TUCKER would then call the resort and pretend to be a clerk from the previous hotel and inform the new resort that the wallet was being shipped. The TUCKERS would then check into the new resort under a false name without showing identification.

In January of 2005, the TUCKERS made their way into Montana to stay at the Rock Creek Resort. They checked in with a card number belonging to another individual and Jesse Tucker signed numerous receipts in that name and indicated they were driving a red Dodge Dakota. As with previous resorts, Jesse Tucker had called ahead and informed the resort that he had left his wallet at a previous resort and it was being shipped so he would have to check in without identification. While staying at the resort, JENNIFER TUCKER was seen shopping alone in the gift shop and purchasing high-end clothing, apparel, and jewelry. When Jesse Tucker was arrested on charges in this case, he admitted he used stolen credit card account numbers and names to pay for hotel rooms. He further stated that his wife, JENNIFER TUCKER, was involved and was also responsible for the credit card fraud.

Jesse Tucker pled guilty to one count of wire fraud and one count of aggravated identity theft. He was sentenced on July 1, 2008, to 161 months incarceration.

Assistant U.S. Attorney Ryan M. Archer prosecuted the case for the United States.

The investigation was conducted by the U.S. Secret Service.

JESSE GLEN TUCKER

JESSE GLEN TUCKER, age 40, was sentenced to a term of:

- Prison: 161 months
- Special Assessment: $200
- Restitution: $111,683.75
- Supervised Release: 3 years

TUCKER was sentenced in connection with his guilty plea to wire fraud and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From December of 2004 through February of 2005, TUCKER and a female accomplice posed as other individuals and, using stolen credit card numbers, stayed at a number of resorts and hotels in Colorado, Idaho, Wyoming, Utah and Montana. While at the resorts, TUCKER and the female used the stolen credit cards to purchase retail goods, food and rooms.

In February 2005, the Carbon County Sheriff's Office was called by employees at a local resort due to TUCKER and the female's suspicious activities, which included drug activity occurring in their hotel room. Officers discovered TUCKER and the female were driving a stolen vehicle and when officers responded to the resort, TUCKER and the female fled from the scene. A high speed chase ensued and TUCKER and the female were eventually caught near Joliet. During the chase, speeds exceeded 90 mph on snowy roads outside Red Lodge, officers locked down schools in Roberts and Joliet, and TUCKER and the female were only stopped by spike strips laid across the road near Joliet. When arrested, TUCKER and the female possessed drugs, drug making equipment, and over 1,500 stolen credit card numbers and names.

TUCKER and the female victimized numerous businesses for a total actual loss close to $60,000. The female was interviewed and admitted that TUCKER would dumpster dive for credit cards. He would then call a resort and purport to be the individual who owned the credit card number. He would tell the hotel that he had left his wallet in a previous hotel and ask if he could have it sent to the new hotel. The female would then

call the resort and pretend to be a clerk from the previous hotel and inform the new resort that the wallet was being shipped. TUCKER and the female would then check into the new resort under a false name without showing identification.

In January of 2005, TUCKER and the female made their way into Montana to stay at a resort near Red Lodge. They checked in with a card number belonging to another individual and TUCKER signed numerous receipts in that name and indicated they were driving a red Dodge Dakota. As with previous resorts, TUCKER had called ahead and informed the resort that he had left his wallet at a previous resort and it was being shipped so he would have to check in without identification.

Upon his arrest, TUCKER admitted he used stolen credit card account numbers which he combined with fictitious names to pay for hotel rooms. He expressed surprise that he was suspected of possessing only 1,500 cards and stated that he had at least 5,000 in Colorado. He also said that he obtained the credit card numbers by paying the front desk personnel at high-end hotels with drugs in return for credit card information of customers staying at the hotels.

Assistant U.S. Attorney Ryan M. Archer prosecuted the case for the United States.

The investigation was conducted by the U.S. Secret Service.

TA'ROY CLARENCE YOUNG

TA'ROY CLARENCE YOUNG was sentenced to a term of:

- Prison: 57 months
- Special Assessment: $400
- Restitution: $146,903.54
- Supervised Release: 5 years

YOUNG was sentenced in connection with his guilty plea to conspiracy, bank fraud, and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

YOUNG, Tony Barnes, Tamara Minor, and several other individuals were involved in a crime ring which included fraudulently obtaining the personal and identifying information from customers at large national banks and obtaining money based on identity theft throughout the United States. YOUNG, Minor, and the other individuals also used false identities to obtain in-store credit at major retailers and purchased thousands of dollars in high-end goods under assumed names. All told, YOUNG, Minor, and the other individuals were responsible for hundreds of thousands in loss.

On January 9, 2008, YOUNG, Minor and the other individuals traveled into Montana with numerous stolen identities in their possession. These included names and account numbers of Wells Fargo bank customers along with counterfeit driver's licenses and credit cards in the customers' names. Many of these materials were recovered by law enforcement officers when the group was arrested, along with a substantial amount of cash.

Traveling north out of Idaho, YOUNG, Minor, and the other individuals first hit Dillon on January 9. While there Barnes entered a Wells Fargo branch and withdrew $4,500 from D.B.'s account. The next day, Barnes used a California driver's license in the name of J.R. to attempt to withdraw $6,000 from J.R.'s account at a Wells Fargo in Helena. Barnes was unsuccessful, however, because the bank informed him that it did not have adequate funds to cover the transaction. Barnes had used J.R.'s name in other transactions outside Montana where he had successfully obtained funds from J.R.'s account. Also, on January 10, 2008, YOUNG drove the group to Butte where Barnes once again used D.B.'s name at a Wells Fargo branch to withdraw $3,000, showing a credit card and California driver's license as identification.

Ultimately, Wells Fargo staff in Butte recognized Barnes from a recent Fraud Alert and notified authorities. All the individuals were apprehended near Dillon in a rented Jeep Cherokee. A search of the vehicle revealed numerous counterfeit driver's licenses, credit cards and social security cards.

Further investigation revealed that YOUNG drove the vehicles and retained the false identification materials along with the names and account numbers of bank customers. When the group approached a bank he would distribute the identities and counterfeit materials and send a "walker," such as Barnes or Minor, into the bank. The "walker" then returned funds to YOUNG who would retain the funds and give the "walker" one-third of the proceeds. YOUNG would also keep a percentage for himself and wire the remainder to unknown co-conspirators out of state. Additional investigation revealed that YOUNG obtained the false identification materials in Los Angeles, California, before embarking on trips to commit fraud.

Further evidence would have consisted of video and photographic surveillance of the individuals using false identification in Wells Fargo branches across the west, along with documentary evidence such as counterfeit checks, forged deposit slips and affidavits of forgery from the true account holders. Video footage would have also shown YOUNG wiring money to other co-conspirators via a Wal-Mart money gram.

Barnes and Minor pled guilty to federal charges and have been sentenced.

Assistant U.S. Attorney Ryan M. Archer prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

OMAR ZEPEDA-DIAZ

OMAR ZEPEDA-DIAZ, a 33-year-old citizen of Mexico, appeared for sentencing. ZEPEDA-DIAZ was sentenced to a term of:

- Prison: 203 days (time served)
- Special Assessment: $100
- Supervised Release: 3 years

ZEPEDA-DIAZ was sentenced in connection with his guilty plea to trafficking/fraud related to government documents.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 10, 2005, ZEPEDA-DIAZ and another individual negotiated with an undercover federal officer for the purchase of an I-688B Form for $5,000 cash. An I-688B Form is a document prescribed by statute or regulation that once issued could allow ZEPEDA-DIAZ to stay in the United States or be authorized to be employed in the United States during the time period stated thereon. ZEPEDA-DIAZ paid the undercover agent $2,500 in cash for the purchase of the I-688B Form to be issued in his name with a balance of $2,500 due.

On June 8, 2005, the other individual, on behalf of ZEPEDA-DIAZ, paid the additional $2,500 cash balance due to the undercover agent for the I-688B Form issued in ZEPEDA-DIAZ'S name and given to ZEPEDA-DIAZ.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement and the Drug Enforcement Administration.

IDENTITY THEFT

DENISE SHAWNELL BURLAND

DENISE SHAWNELL BURLAND, a 35-year-old resident of Bozeman, was sentenced to a term of:

- Prison: 42 months
- Special Assessment: $200
- Restitution: $15,415.44
- Supervised Release: 5 years

BURLAND was sentenced in connection with her guilty plea to bank fraud and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On October 30, 2005, officers responded to a domestic violence call at a residence in Bozeman involving BURLAND and Michael Biggs.

Pursuant to a probation search of the residence, police discovered items of stolen mail, altered business checks, a social security card, credit card statements, and various other identifying items.

BURLAND agreed to speak with officers and admitted her involvement in the theft and forgery of checks in the name of a deceased individual, hereafter referred to as "J.G." BURLAND also admitted to altering other checks.

On November 12, 2005, shortly after BURLAND admitted to being involved in forgeries, police received a call about a suspicious check issued at Country Lanes Bowling Alley in Bozeman in the name of a female individual hereafter referred to as "A.G." The female individual was contacted and informed officials that she was not at the bowling alley. Officers responded to the bowling alley and through video surveillance, identified BURLAND as the individual attempting to pass the check.

On November 13, 2005, BURLAND passed one of "A.G.'s" checks at a local WalMart. When authorities responded to the scene, they reviewed a video surveillance tape that showed BURLAND passing a check at a WalMart checkout booth. "A.G." stated that the signature on the WalMart check was not hers and provided an affidavit of forgery and alteration with regard to the check which was drawn on her First Interstate account in the amount of $162.36.

BURLAND subsequently passed thousands of dollars in checks in "A.G.'s" name. "A.G." has stated that she can no longer write checks in Bozeman due to the number of fraudulent checks issued in her name. "A.G." also stated that she had been expecting a box of checks delivered to her parents' address which never arrived.

Additionally, "A.G.'s" parents run a Montessori school and have stated that they were expecting a State of Montana check that they never received. Officers recovered a check written to the order of the Montessori school at the same address as "A.G.'s" checks. However, superimposed in typescript above the payee line, is the added name of "DENISE BURLAND." The owner of the Montessori school stated that he does not employ or know anyone by that name and never would have authorized the check to be written to BURLAND. This check was cashed at the Bank of the Rockies in the amount of $1,223.

Subsequent investigation revealed that BURLAND possessed stolen business and payroll checks which she manipulated in order to insert her own name as the payee of the check, endorsed the check and cashed it at local banks. In all, BURLAND and Biggs were responsible for thousands of dollars issued in forged and altered checks in an approximately six month time span.

Biggs plead guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Ryan M. Archer prosecuted the case for the United States.

The investigation was conducted by the Bozeman Police Department.

BILLY DON CUMMINGS

BILLY DON CUMMINGS, a 49-year-old resident of Hungry Horse, was sentenced to a term of:

- Prison: 75 months
- Special Assessment: $300
- Supervised Release: 3 years

CUMMINGS was sentenced in connection with his guilty plea to misuse of a social security number, aggravated identity theft, and being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On February 27, 2008, during an investigation in which CUMMINGS was a witness in the shooting death of a male at CUMMINGS' residence in Hungry Horse, law enforcement officers discovered that CUMMINGS had used the identity of a deceased individual, "S.T.," for approximately thirteen years in order to avoid probation and prosecution consequences for crimes he had committed in Idaho. Numerous financial and miscellaneous documents in the name of "S.T." were recovered during a search of CUMMINGS' residence,.

When interviewed, CUMMINGS admitted his real name was Billy Cummings and that he was from Idaho. He stated that he had used "S.T.'s" identity because he (CUMMINGS) was wanted in Idaho for absconding on probation on a conviction. CUMMINGS admitted he had assumed his common-law wife's deceased husband's identity in order to work and avoid going to jail. He also admitted using "S.T.'s" social security number in order to receive unemployment insurance and workers' compensation checks.

CUMMINGS' common-law wife also gave a written statement admitting her knowledge of CUMMINGS' use of "S.T.'s" identity.

CUMMINGS also admitted that he was in possession of firearms which he had been storing for the victim of the shooting.

Assistant U.S. Attorney Elizabeth A. Horsman prosecuted the case for the United States.

The investigation was a cooperative effort between the Flathead County Sheriff's Office, the U.S. Immigration and Customs Enforcement - Kalispell, the Montana Department of Labor and Industry, and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

KELLY FITZPATRICK KENNEDY

KELLY FITZPATRICK KENNEDY, a 41-year-old resident of Billings, was sentenced to a term of:

- Prison: 48 months, consecutive to another sentence
- Special Assessment: $200
- Restitution: $25,332.62
- Supervised Release: 4 years

KENNEDY was sentenced in connection with his guilty plea to mail fraud and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

KENNEDY worked as an accounting clerk for Accounting and Tax by Stecher (ATS) in Billings. ATS kept books for the Billings Trap Club ("Club"). KENNEDY worked on that account reconciling bank accounts, preparing payroll, and preparing checks. The Board of the Club gave KENNEDY signature authority over its checking account.

Between February 6, 2007, and October 3, 2007, Club checks were written to KENNEDY, her creditors, a friend, her boyfriend and her new business totaling over $25,000. KENNEDY signed two of the checks, the rest were signed by the treasurer of the club. The Club did not authorize the checks.

On September 28, 2007, KENNEDY forged the treasurer's name on a check of the Club without the treasurer's consent.

The Club's books, kept by KENNEDY at ATS, were changed in some cases to possible legitimate vendors of the Club to conceal the checks to KENNEDY and to others on her behalf.

On September 27, 2007, KENNEDY mailed Verizon an envelope containing a check

for $230.08 drawn on the Billings Trap Club's account.

First Assistant U.S. Attorney Kurt G. Alme prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

CARRIE LYNN McLEAN

CARRIE LYNN McLEAN, a 31-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 34 months
- Special Assessment: $200
- Restitution: $8,487.07
- Supervised Release: 5 years

McLEAN was sentenced in connection with her guilty plea to conspiracy, bank fraud and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Thomas Adams was arrested for felony theft in Worcester County Maryland and appeared on those charges on June 22, 2007. He requested a jury trial and was released. The trial was set for August 6, 2007. Adams failed to appear and a warrant was issued for his arrest.

On August 24, 2007, S&C Wrecker Service towed a 2005 Chevy Van from the alley near Adam's girlfriend's (McLEAN) house due to a parking violation. Upon checking the VIN of the van, S&C employees determined that it was stolen. Law enforcement determined that the vehicle had been stolen from Marksmen Construction Services in Indianapolis, Indiana, on or about August 13, 2007. The vehicle was towed to the Great Falls Police Department.

Later in the day, Adams arrived at S&C Towing to retrieve the van. Employees of S&C Towing called the police department. Before police officers arrived at S&C Towing, Adams departed. Police officers located the vehicle in which Adams was riding, and were able to detain Adams after chasing him through a field. Adams told officers his name was Chris Thomas Adams, which is the identity of Adams' deceased brother. At the time of Adams' arrest, he was in possession of the identification documents in the name of M.T. and a Western Union Money order purchased from Van's IGA in Great Falls on August 23, 2007.

A state search warrant was executed on the van. It contained a Senco staple gun, Senco nail gun, Milwaukee circular saw, Milwaukee sawzall, Trac fastener, Honda

powerwasher, a blue bag containing hundreds of rounds of various ammunition, and a Remington M700 .338 winchester magnum rifle. Located in the blue bag was a leather ammunition belt with a pouch containing a Fish and Game license belonging to D.M.

D.M. and M.M. were contacted and they advised police officers that their business had been burglarized on or about August 18, 2007, and that power tools, as well as the blue duffle bag and rifle had been stolen. D.M. and M.M. verified that the tools, duffle bag and rifle belonged to them.

On September 17, 2007, M.M. also discovered that business checks had been taken in the burglary because 16 forged checks had come through the business bank account. The names listed in "pay to the order of" on the checks were Bruce Hironaka, N.L., M.T. and B.D. Hironaka was given checks in his name, a juvenile female was given checks in the name of N.L., and Candida Champagne received checks in the name of B.D. from McLEAN, drawn on D.M. and M.M.'s U.S. Bank business checking account. McLEAN advised investigators that Adams had provided her with the checks and told her to use them when and if she needed money, groceries, etc. McLEAN also admitted that she had used her computer to print the checks so that they would appear to be legitimate payroll checks.

On August 23, 2007, Adams had used three of the stolen and fraudulently endorsed bank checks, made payable to M.T., to obtain money.

Hironaka was interviewed and admitted getting the fraudulent business checks in his name and drawn on the victims' business account from McLEAN. Hironaka admitted passing the checks and was captured on closed circuit video at a local convenience store negotiating one of the stolen and fraudulently endorsed checks.

Champagne was interviewed and admitted getting two of the fraudulent business checks in the name of B.D. and drawn on the victims' business account from McLEAN. Champagne admitted passing the checks and fraudulently using the identity of B.D. to do so.

While the entire scheme netted almost $8,500 for the conspirators, the checks negotiated by Adams totaled $2,121; the checks negotiated by Hironaka totaled $1,371.08; and the checks negotiated by Champagne totaled $1,356.79.

Adams, Champagne and Hironaka pled guilty to federal charges and are awaiting sentencing.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement and the Great Falls Police Department.

JOSHUA KAWUKI MUWANGUZI

JOSHUA KAWUKI MUWANGUZI, a citizen of Uganda, was sentenced to a term of:

- Prison: 39 months
- Special Assessment: $200
- Fine: $7,330
- Supervised Release: 3 years

MUWANGUZI was sentenced in connection with his guilty plea to possession of counterfeit documents and identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On October 21, 2007, MUWANGUZI arrived at the Sweetgrass Port of Entry after having been refused entry into Canada by Canada Border Services Agency (CBSA) at Coutts, Alberta. CBSA has refused MUWANGUZI entry because he did not present a valid Canadian visa, or a current Ugandan passport. MUWANGUZI was the lawful owner and sole occupant of the vehicle in which he traveled.

At the Sweetgrass Port of Entry, MUWANGUZI presented a Colorado driver's license to an officer. The officer observed that MUWANGUZI had what appeared to be passports in his other hand. The requested to see the passports, which were two expired Ugandan passports. MUWANGUZI was then referred to secondary inspection.

A review of immigration records revealed an outstanding warrant of deportation signed on March 19, 2007. A further review revealed that MUWANGUZI had entered the United States on June 21, 2000, on a J-1 visa as an exchange visitor and overstayed his visa. On November 24, 2000, MUWANGUZI had filed an Application for Asylum (Form I-589), which was subsequently denied. MUWANGUZI filed an appeal which was rejected, and on March 19, 2007, the Department of Homeland Security issued a warrant of deportation for his arrest and deportation.

When interviewed, MUWANGUZI stated that he had applied for renewal of his Ugandan passport, but had not yet received it. MUWANGUZI completed a written Immigration Declaration form on which he declared possession of $7,400 in United States currency. He wrote on the declaration form that he was traveling to Canada to visit a friend.

During a search of MUWANGUZI'S vehicle, officers found MUWANGUZI'S current and valid Ugandan passport. The current passport had been issued on February 4, 2007, and was valid through the year 2017.

Also recovered during the search was a box of documents that contained identification

documents of several individuals that MUWANGUZI had altered.

Assistant U.S. Attorney Elizabeth A. Horsman prosecuted the case for the United States.

The investigation was conducted by the U.S. Customs and Border Protection.

LYNN MARGARET ROSENBERG

LYNN MARGARET ROSENBERG, a 50-year-old resident of Harlowton, was sentenced to a term of:

- Prison: 54 months
- Special Assessment: $300
- Restitution: $206,223.02
- Supervised Release: 3 years

ROSENBERG was sentenced in connection with her guilty plea to theft from a federally funded program and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

From 1991 until her termination in 2006, ROSENBERG was employed as an Eligibility Examiner for the Montana Department of Public Health and Human Services, Bureau of Public Assistance, in Harlowton. It was ROSENBERG'S responsibility to review applications for public assistance benefits for residents of Wheatland County. The assistance benefits primarily provided during that time were food stamps and temporary assistance to families.

During 2006, the Montana Department of Health and Human Services, Public Assistance Bureau (MPAB) submitted the names and Social Security numbers of Montana beneficiaries to Administration for Children and Families (ACF), an agency under the United States Department of Health and Human Services (DPHHS). Through a process there, Montana beneficiaries were checked against the National Directory of New Hires (NDNH) database in an attempt to identify beneficiaries who are not reporting their wages.

A payment approved by ROSENBERG triggered a "hit" on the NDNH database. A man ROSENBERG named as the recipient was an Oregon truck driver earning more than $80,000 per year since 2003. When contacted, the man informed MPAB that he had not received benefits since he left Wheatland County in 1991.

This information resulted in an audit by the Audit Bureau as well as an investigation by the Montana Division of Criminal Investigations (DCI), to see if other unusual patterns

or suspicious activity of beneficiaries in Wheatland County were taking place.

There were two areas of concern. One was the use of the electronic benefit transaction (EBT) cards used to withdraw money and purchase food via food stamps for Temporary Assistance to Needy Families (TANF) by using the EBT card. The second was the use of three post office boxes for DPHHS correspondence – two in Harlowton and one in Ryegate.

The EBT activity reviewed included withdrawals of TANF cash from ATM machines, mostly in Harlowton and in Billings, as well as food stamps purchases mostly at Wal-Mart in Billings. The Audit Bureau identified that on more than one occasion several beneficiaries used the same ATM machines for TANF cash withdrawals within minutes of each other.

On February 13, 2005, six beneficiaries made cash withdraws at the same ATM machine within an eleven minute period. It was also very unusual to have so many food purchases in Billings by Wheatland County benefits recipients, considering the availability of convenience and grocery stores in Harlowton and other neighboring towns. Public assistance recipients generally do not travel 90 miles to do their shopping.

Many beneficiaries were receiving EBT cards, checks, and food stamps at P.O. Box 4920 in Harlowton. This is the postal address for the Wheatland County DPHHS office which is where ROSENBERG, the only eligibility examiner in Wheatland County for DPHHS, was employed. ROSENBERG was the only one with a key to the mail box. ROSENBERG knew or should have known that it was contrary to DPHHS policy for beneficiaries to receive any mail or benefits at the DPHHS office. Several other beneficiaries received EBT cards, checks, or food stamps at P.O. Box 125 in Ryegate. This box was opened by ROSENBERG in March of 2002 and closed in April of 2004, showing ROSENBERG as the only key holder. ROSENBERG'S personal mailing address of P.O. Box 668 in Harlowton was also used as a delivery point for public assistance benefits.

The investigation, having been joined by the Federal Bureau of Investigation and the U.S. Department of Agriculture's Office of Inspector General, determined that approximately forty-six beneficiaries had been legitimate cases prior to ROSENBERG reactivating or opening new files on them through the DPHHS database. In addition to the forty-six, there are at least six beneficiary accounts that ROSENBERG created that do not appear to correspond to any real person. The investigation found that ROSENBERG not only created, or re-created individual beneficiaries, but also case notes that were completely fabricated; providing unreliable addresses, post office boxes, family members, employment, and convictions, as well as injuries and illnesses.

Interviews of many of the beneficiaries revealed that almost all of them have lived out of state for many years.

Over a hundred checks issued to beneficiaries were reviewed. Checks were countersigned by ROSENBERG as well as deposited into her personal account. Several legitimate check signatures of beneficiaries were compared to the checks that were received at one of the post office boxes listed above after the beneficiary had moved out of state and they appeared forged. None of the beneficiaries interviewed ever authorized ROSENBERG to countersign or sign their name on checks.

ROSENBERG was employed with MPAB from March of 1991 to September 2006. During that time she was the sole person who had taken action on these cases, authorized and issued benefits, and had checks and EBT cards mailed to post office boxes only she had access to, thereby implicating her as the card holder, check casher, and user of the benefits issued to multiple beneficiaries who no longer lived in Montana.

Since 1996, when ROSENBERG'S scheme appears to have been devised and initially executed, the Montana's DPHHS has received millions of federal dollars each year to provide in Food Stamp program and TANF benefits.

The investigation has determined that ROSENBERG embezzled over $194,000 dollars of federal USDA and HHS funds between October of 1996 and June of 2006.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was a cooperative effort between the Montana Division of Criminal Investigations, the Federal Bureau of Investigation, and the U.S. Department of Agriculture's Office of Inspector General.

ANNA MARIE SCOTT

ANNA MARIE SCOTT, a 26-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 24 months
- Special Assessment: $200
- Restitution: $42,352.19
- Supervised Release: 3 years

SCOTT was sentenced in connection with her guilty plea to credit card fraud and identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In August of 2007, an investigation began into fraudulently obtained credit cards being issued using the identities of A.M.S. and C.S. by SCOTT and her husband, Steven Scott.

In 2005 in Longview, Washington, SCOTT and her husband began defrauding local businesses by manufacturing fraudulent payroll checks to receive payday loans for local lending establishments.

In 2005, SCOTT'S husband was employed as a car salesman at an automobile dealership in Longview, Washington. He was able to observe passwords on the wall of the finance office for "700 Credit." At first, he used the passwords to check he and his wife's credit, and his parents' credit history. Later, he located two individuals that had purchased automobiles that were near the same age and had the same last name as he and his wife. SCOTT and her husband then began obtaining credit cards using the personal information (including Social Security numbers) of A.M.S. and C.S. The credit cards were issued by Herbergers, Wal-Mart, Sears, CARE, American Express, Image, Dell, GE Capitol Racing, Home Depot, Lowes, Summit Racing, Sprint, AT&T, Comcast and DIRECTV. All or most of the credit cards were maxed out.

In July of 2007, the SCOTT and her husband purchased a 2007 Dodge Charger from Lithia Dodge in Great Falls using the credit history of A.M.S. A.M.S. discovered her identity had been stolen when she attempted to purchase a home. A.M.S. had previously purchased a vehicle at the automobile dealership in Longview, Washington.

C.S. reviewed his credit report and determined that credit accounts through CARE, Home Depot, Lowe's, Wal-Mart, Summit Racing, Spring, AT&T, Comcast and DIRECTV had been fraudulently obtained using his personal identity in 2005 and 2006, for a total of $17,745.65.

A.M.S. reviewed her credit report and determined that credit accounts through CARE, Chrysler Financial, Dell, Wal-Mart, Sears, Herbergers and American Express had been fraudulently obtained using her personal identity during 2005, 2006 and 2007, for a total of $61,337.21.

Steven Scott pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

STEVEN RICHARD SCOTT

STEVEN RICHARD SCOTT, a 28-year-old resident of Longview, Washington, was sentenced to a term of:

- Prison: 70 months
- Special Assessment: $300
- Restitution: $42,167.19
- Supervised Release: 3 years

SCOTT was sentenced in connection with his guilty plea to credit card fraud and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In August of 2007, an investigation began into fraudulently obtained credit cards being issued using the identity of A.M.S. and C.S. by SCOTT and his wife, Anna Scott.

In 2005 in Longview, Washington, SCOTT and his wife began defrauding local businesses by manufacturing fraudulent payroll checks to receive payday loans for local lending establishments.

In 2005, SCOTT was employed as a car salesman at an automobile dealership in Longview, Washington. SCOTT was able to observe passwords on the wall of the finance office for "700 Credit." The passwords allow a merchant or vendor to run an instant credit history check on a person seeking to purchase merchandise, such as a car, with credit. At first, SCOTT used the passwords to check his own credit, his wife's credit, and his parents' credit history.

At some time thereafter, SCOTT identified two individuals, C.S. and A.M.S., that had purchased automobiles from the dealership and that were near the same age and had the same last name as he and his wife. The Scotts then began obtaining credit cards using the personal information (including Social Security numbers) of A.M.S. and C.S. The credit cards were issued by Herbergers, Wal-Mart, Sears, CARE, American Express, Image, Dell, GE Capitol Racing, Home Depot, Lowes, Summit Racing, Sprint, AT&T, Comcast and DIRECTV. All or most of the credit cards completely exhausted the credit available on the fraudulent account.

In July 2007, Anna Scott purchased a 2007 Dodge Charger from Lithia Dodge in Great Falls using the credit history of A.M.S. No payments were made on the vehicle and it was later repossessed and sold to ameliorate the debt.

C.S. reviewed his credit report and determined that credit accounts through CARE, Home Depot, Lowe's, Wal-Mart, Summit Racing, Spring, AT&T, Comcast and DIRECTV had been fraudulently obtained using his personal identity in 2005 and 2006, for a total of $17,745.65.

A.M.S. reviewed her credit report and determined that credit accounts through CARE, Chrysler Financial, Dell, Wal-Mart, Sears, Herbergers and American Express had been fraudulently obtained using her personal identity during 2005, 2006 and 2007, for a total of $61,337.21.

Anna Scott pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement and the Great Falls Police Department.

SHANNON LUCIENNE WHITE

SHANNON LUCIENNE WHITE, a 41-year-old resident of Great Falls, appeared for sentencing. WHITE was sentenced to a term of:

- Prison: 57 months
- Special Assessment: $200
- Restitution: $132,858.56
- Supervised Release: 3 years

WHITE was sentenced in connection with her guilty plea to credit card fraud and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

P.W. is a 91-year-old Great Falls resident who relies on various in-home health and assistance providers. WHITE was one of her in-home caretakers who was employed to perform certain household tasks such as cleaning and assisting P.W. in her daily routines.

On March 26, 2007, P.W.'s son, J.W., contacted the Great Falls Police Department and reported what he believed to be fraudulent activity on a brokerage account held by his mother through the use of a debit/credit card issued on that account. J.W. had contacted RBC Dain Rauscher regarding the bank account held by his mother, and had been informed that there were seven suspicious transactions between March 25, 2007, and March 26, 2007, on the P.W. account. J.W. indicated that his mother was housebound and was provided with home health care 24 hours a day, seven days a week. She was virtually unable to leave the house and therefore could not have used the card at ATM machines or to purchase any goods or services.

J.W. advised that upon learning of the suspicious transactions, he went to his mother's residence and attempted to recover the ATM card associated with the RBC account from his mother's wallet, but it was not there. Nor could J.W. find the card anywhere else in the home. P.W. told her son that she did not have the card. J.W. told the police that WHITE, a home care attendant employed by P.W., had known where the ATM card had been located and returned it to P.W. once questions had been raised.

Agents obtained records of all of the ATM machines in Great Falls, and the 2005, 2006, and 2007 RBC account summaries regarding the use of the card. A review of those

records indicated that from June 12, 2006, through March 26, 2007, there had been approximately 875 ATM and credit card transactions at convenience stores, gas stations, grocery stores, and gambling casinos in Great Falls, totaling approximately $134,000.

P.W. never used the card during this time period, and indeed was functionally unable to do so. Prior to May of 2005, she had relied upon WHITE to obtain cash on several occasions, using the card at banks in Great Falls. P.W. had not given anyone authority to use the card after May of 2005.

Agents obtained copies of video surveillance tapes from several of the gambling establishments where the ATM cash withdrawals were made. Those videos revealed WHITE using the ATM card belonging to P.W. on at least 18 occasions from March 1, 2007, through March 26, 2007.

A review of RBC Dain Rauscher account records revealed that WHITE had begun illicitly and illegally using the debit card in June of 2005, and continued to use the card often – 875 separate transactions – until March 26, 2007, when the theft was discovered and the card retrieved. During that 22-month period, WHITE obtained in excess of $134,000 of P.W.'s money.

WHITE was interviewed and admitted that she had used the card, without authorization, to illegally obtain money from P.W.'s account.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement and the Great Falls Police Department.

ILLEGAL ALIENS and IMMIGRATION OFFENSES

JOSE AMBRIZ-AMBRIZ

JOSE AMBRIZ-AMBRIZ, a 56-year-old citizen of Mexico, was sentenced to a term of:

- Prison: 28 months
- Special Assessment: $200
- Supervised Release: 3 years

AMBRIZ-AMBRIZ was sentenced after having been found guilty during a 2-day trial of illegal re-entry of a previously deported alien and the false impersonation of being a citizen of the united states.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was conducted by the U.S. Customs and Border Protection.

JAMES LYMAN BRUBAKER

JAMES LYMAN BRUBAKER, a 74-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 30 months
- Special Assessment: $200
- Restitution: $23,162
- Supervised Release: 3 years

BRUBAKER was sentenced in connection with his guilty plea to possession and interstate transportation of stolen property.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On February 21, 2006, Western Washington University (WWU), Office of Public Safety, began an investigation of malicious mischief and theft at WWU Wilson. The Librarian for the Wilson Library at WWU had observed several governmental reference books over 100 years old to be out of numerical order and missing large sections from the books. The books appeared to have been intact and in order on the shelves a week earlier. Investigation revealed that fold-out maps had been cut out of the books with a sharp instrument. The damaged books were irreplaceable and values are difficult to assign to the damage. After a complete inventory, 108 volumes of governmental books had been vandalized with 648 pages of maps and colored plates missing. The Librarian estimated the replacement cost for these volumes would total $21,600.

A library employee recalled seeing an individual during the week of February 12, 2006, who had been looking through a large stack of the same types of books as the ones damaged. She observed a male in his late fifties or early sixties with short, thin, gray hair, average height and heavy-set; his face was pock-marked and he had beard stubble. This employee walked by the area where the man was reviewing the books for a second time, when the man asked her where he could get a cup of coffee. Later in the day, the man was gone and the books were no longer on the table.

Realizing that the thefts had likely been for re-sale, the Librarian started researching the eBay website and discovered several of the missing pages were listed for sale under the seller name of *montanasilver*. The Librarian worked out an agreement with investigators to have third parties bid on and purchase two documents which the Librarian recognized as matching items stolen from the WWU library. The items were purchased and sent to the Washington State Patrol Crime Lab, where Questioned Documents examination showed conclusively that the items purchased over eBay were taken from the books which belonged to WWU.

The eBay seller of these documents was BRUBAKER, operating under the eBay name "*montanasilver*," out of either Belt or Great Falls. The welcome page of the *montanasilver* eBay store claimed the items for sale, "are part of a personal collection that had been put together for over 50 years." Investigators obtained a current Montana driver's license photo of BRUBAKER, which matched the description of the person of interest in the WWU Library on February 16, 2006. The City of Great Falls provided law enforcement with a listing of three vehicles belonging to BRUBAKER, including a blue 2000 Mercedes ML4 SUV. A check of WWU parking records showed a citation was issued to BRUBAKER'S blue 2000 Mercedes SUV on February 17, 2006, at 10:06 a.m. The vehicle was cited while parked in a WWU parking lot, which is the closest parking to Wilson Library.

A search warrant was obtained and executed at the BRUBAKER residence based on the WWU investigation. Prior to or during the search, BRUBAKER told an officer that although he wanted an attorney before talking with police, he wanted to make it a matter of record that, "Whatever you think you will find ... and, I'm not saying I did anything wrong ... but, whatever you find in this search, my wife ... only helped me ship some items and with the listings and had nothing to do with obtaining the items..." BRUBAKER further uttered spontaneously that it is typical for libraries to clear out inventory and the books to be offered up on open market with evidence of library use still affixed. BRUBAKER further stated that, "I admit I've been to Western Washington University," and that he had been there with a friend from Canada.

Law enforcement discovered parking passes purchased at the WWU parking facility for the dates of February 16 and 17, 2006, and hotel and restaurant receipts that circumstantially placed BRUBAKER in the Bellingham, Washington, area on those dates.

During the search, law enforcement discovered approximately one thousand books of which 832 were suspected of being stolen from libraries and universities. Hundreds of the books were marked with Dewey Decimal stickers (often used in libraries) attached to the spines, as well as bar code stickers, library stamps, and stickers indicating "not to be removed from library," as well as some books that had clearly been "cleaned" to remove evidence of library ownership. More than 100 libraries are represented in the recovered books. Hundreds of maps, lithographs, and serial plates were found in envelopes ready for sale on eBay. Possibly tens of thousands of maps, lithographs and plates were found in plastic containers.

Many of the documents and maps missing from the Western Washington Library were located in the search of BRUBAKER'S home. On December 18, 2007, the items seized during the search were transferred to the custody of the FBI in Great Falls, Montana, pending a more detailed review of the property seized. Approximately 750 of the books containing library markings were catalogued and entered into a database which could then be sorted by library.

During the search, investigators also found the tools used by BRUBAKER to steal the documents and books from the library, and to “clean” them for resale. Investigators found magnets used to de-magnetize books so that they could go through security without setting off an alarm, chemicals and brushes used to remove stamps, codes, and other identifiers from the stolen books, mailers used to fortify and protect the documents and which could be quickly sealed to prevent casual observation or law enforcement observation without a warrant, and cutting tools.

Law enforcement interviewed a long-time colleague who has known BRUBAKER for more than 40 years. He advised that he and BRUBAKER had been together in the Seattle area when BRUBAKER and his wife took 15 to 20 books from an unknown library and stated that BRUBAKER had taken three to four trips into the library and obtained these books. The witness admitted to being present with BRUBAKER and his wife on three occasions when BRUBAKER took library books from libraries in Reno, Nevada, San Francisco, California and the Seattle, Washington area. As stated previously, many of the books are irreplaceable first editions.

Of the 832 books believed to have been stolen by BRUBAKER, 338 books have been confirmed to have been stolen from libraries. Of the apparent 109 victim libraries and universities (and other sources of books), 51 have been confirmed as having been the victim of the thefts. Victim libraries were found in Arizona, California, Colorado, Idaho, Iowa, Michigan, Minnesota, Montana, Nebraska, North Dakota, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming. BRUBAKER also had valuable books from libraries in Calgary, Edmonton, and Lethbridge, all in Alberta, Canada. Victim libraries in Montana included libraries in Belt, Big Timber, Billings, Bozeman, Browning, Butte, Frenchtown, Great Falls, Helena, Miles City, Red Lodge, and Roundup.

Of the 832 volumes, 604 books were published from 1900 to the present, 207 published from 1800-1899; and 21 published from 1749 -1799. To date, 338 of the texts have been determined to have an aggregate value of $89,110. Based upon known values, the calculated total theft loss amount is approximately $220,000. Damage to existing volumes where certain pages were removed by a razor or similar device has not yet been determined.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation, the Great Falls Police Department, the Bureau of Land Management and the U.S. Fish and Wildlife Service.

JAMES ALAN CARBIS

JAMES ALAN CARBIS, a 36-year-old resident of Helena, was sentenced to a term of:

- Prison: 26 months

- Special Assessment: $200
- Supervised Release: 3 years

CARBIS was sentenced in connection with his guilty plea to fraudulent use of a Social Security card and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In March of 2007, CARBIS opened a business checking account – Fast Track Enterprises – at Mountain West Bank. CARBIS attempted to deposit Fast Track Enterprises checks into his personal savings account at Elkhorn Credit Union, but it was determined that the Mountain West Bank account had previously been closed. Investigation determined that CARBIS had used his brother, H.C.'s, Social Security number to open both accounts.

H.C. was interviewed and stated CARBIS had used H.C.'s Social Security number in the past, causing H.C. to lose a leased vehicle and a business due to the harm to H.C.'s credit history.

CARBIS admitted he used his brother, H.C.'s, Social Security number to open bank accounts. He also indicated he had bad credit and the only way he could open the accounts was with his brother's Social Security number.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

MARTIN JOEL ARAGON

MARTIN JOEL ARAGON, a 42-year-old citizen of Mexico, was sentenced to a term of:

- Prison: 117 days, time served
- Special Assessment: $100

ARAGON was sentenced in connection with his guilty plea to illegal re-entry of a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

ARAGON, an alien and citizen of Mexico who had been previously deported from the United States on September 1, 2007, at the Port of San Ysidro, California, and also on November 16, 2007, at the Port of Nogales, Arizona, was found within the United States without having received permission from the Attorney General of the United

States or his successor, the Secretary for Homeland Security.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between the Montana Highway Patrol and the U.S. Immigration and Customs Enforcement - Kalispell.

DAVID CHOY, STEPHEN CHEONG and SHAWN CHOY
(CHOY, CHEONG & CHOY)

DAVID CHOY, age 23, and STEPHEN CHEONG, age 54, citizens of Canada, and SHAWN CHOY, a 34-year-old resident of Toronto, Ontario, and Guyana, appeared for sentencing.

DAVID CHOY was sentenced to a term of:

- Prison: 159 days (time served)
- Special Assessment: $100
- Supervised Release: 2 years

CHEONG was sentenced to a term of:

- Prison: 157 days (time served)
- Special Assessment: $100
- Supervised Release: 2 years

SHAWN CHOY was sentenced to a term of:

- Prison: 157 days (time served)
- Special Assessment: $100
- Supervised Release: 2 years

DAVID CHOY was sentenced in connection with his guilty plea to aiding or abetting in bringing an illegal alien into the United States.

CHEONG was sentenced in connection with his guilty plea to conspiracy to aiding or abetting in bringing an illegal alien into the United States.

SHAWN CHOY was sentenced in connection with his guilty plea to conspiracy to bringing an illegal alien into the United States and illegal entry without inspection.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On December 16, 2007, a Waterton National Park warden was on vehicle patrol on the

Chief Mountain Highway in Waterton Park, near Chief Mountain Port of Entry on the Canada-United States international boundary. While on patrol, the warden observed a white truck with a white canopy bearing Ontario license plates parked idling near the Belly River Bridge. When the warden approached the Belly River Bridge gate, he noted vehicle tracks which bypassed the bridge and gate and continued over the frozen river.

The warden followed the tracks and met up with an oncoming vehicle. The vehicle was a red Ford Ranger pickup truck driven by David Kriekle, with DAVID CHOY as a passenger. After speaking with Kriekle and DAVID CHOY, the warden released them. He called for assistance from another warden. This warden continued to follow the vehicle's tracks toward the closed Chief Mountain Port of Entry. He followed the tracks to where they terminated where he noted a single set of footprints in the snow beginning in Canada and proceeding into the United States. This information was forwarded to the Glacier National Park law enforcement in the United States.

At approximately 3:00 p.m. on December 16, 2007, Kriekle and DAVID CHOY arrived in the red Ford Ranger pickup truck at the Piegan Port of Entry. Both men applied for admission into the United States. Kriekle was the driver and DAVID CHOY was the passenger. During the inspection process, a U.S. Customs and Border Protection officer asked both men the purpose of their entry into the United States. Both stated that they were going to Glacier National Park to “hang out” and planned to stay overnight. Given the time of year (winter) and Glacier National Park’s roads being closed to traffic and knowing that no lodging was available, the officer referred the vehicle for secondary inspection.

During secondary inspection of the vehicle, officers found a Guyana passport issued to a person, identified here as SHAWN CHOY, as well as a wallet with a New York state identification card, an Alberta driver’s license, an Ontario driver’s license, and several bank cards belonging to SHAWN CHOY In addition, a Rhino GPS with a two-way radio function was found.

While the CBP officers were engaged in secondary inspection, they learned about the Waterton National Park wardens’ encounter with Kriekle and DAVID CHOY. The officers became suspicious that Kriekle and DAVID CHOY had dropped SHAWN CHOY at the United States border and planned to pick him up inside the United States. CBP contacted the U.S. Border Patrol, and land and air units were called to search the area.

A U.S. Border Patrol agent was dispatched and immediately headed by four-wheel-drive vehicle to the area indicated by the Waterton National Park wardens. The agent arrived at the Glacier Park Boundary gate at approximately 4:30 p.m. and reported seeing fresh foot prints in the snow indicating that someone on foot had recently crossed going southbound into the United States.

At approximately 6:00 p.m., SHAWN CHOY had still not been located. Port officers became concerned for his safety due to dropping temperatures with nightfall. Officers

confronted DAVID CHOY and he finally admitted that he and Kriekle had dropped SHAWN CHOY on the Canadian side of the Chief Mountain POE. After crossing into the United States, DAVID CHOY and Kriekle were to pick him up on Hwy 17. DAVID CHOY stated he could probably get SHAWN CHOY to answer the Rhino Radio and turn himself in. Officers drove DAVID CHOY to the area of Hwy 17 where he made several attempts to contact SHAWN CHOY without success.

About the same time, Kriekle informed an officer that another vehicle driven by CHEONG had passed through the port of entry shortly after he and DAVID CHOY had arrived. Kriekle provided this information well after an officer had been to the area of illegal entry and not found SHAWN CHOY. Kriekle stated that CHEONG was driving a white Toyota Tundra pick-up truck with a camper shell. CBP officers checked the lane crossings for the day and confirmed that a white Toyota Tundra driven by CHEONG had been admitted into the United States at approximately 3:07 p.m., within a short time after Kriekle and DAVID CHOY had arrived for inspection, and that it was probable that CHEONG had seen the two younger men diverted to secondary inspection.

Agents with the U.S. Immigration and Customs Enforcement (ICE) in Kalispell were notified of the events of the day. The ICE agents responded to the Port of Piegan and were advised that CBP officers that they had earlier asked DAVID CHOY to make a call to CHEONG via his cell phone. DAVID CHOY had asked CHEONG if he had picked up SHAWN CHOY. CHEONG confirmed that he had picked up SHAWN CHOY who was with him at the time, that they were “far in,” and hung up the phone. Efforts to find SHAWN CHOY in the immediate area at that time ceased. CBP officers contacted the Glacier County Sheriff's Office who issued a lookout for the vehicle and occupants.

When interviewed, DAVID CHOY admitted he knew SHAWN CHOY was an alien and that he had illegally entered the United States from Canada as part of plan that included SHAWN CHOY, CHEONG, Kriekle and himself. DAVID CHOY stated he had enlisted Kriekle’S assistance because the latter owned a four wheel drive pickup truck. Kriekle was to be compensated for use of his pickup. SHAWN CHOY planned to go Florida to purchase used heavy equipment to ship to Guyana to begin a business. DAVID CHOY also told agents that he had borrowed $20,000 and invested the money with SHAWN CHOY in the Guyana business.

When interviewed, Kriekle recounted substantially the same facts and admitted to assisting SHAWN CHOY to cross the border.

On December 18, 2007, in Columbus, Ohio, a police officer stopped the white Tundra occupied by CHEONG and SHAWN CHOY. CHEONG and SHAWN CHOY were arrested and transported back to Montana.

When interviewed, CHEONG confessed to being part of the plan to bring SHAWN CHOY to the United States border for his unlawful entry into the United States. CHEONG had driven SHAWN CHOY from Calgary the morning of December and had

picked up SHAWN CHOY inside the United States south of the drop point in Canada. CHEONG further admitted that he knew that SHAWN CHOY was an alien and not legally able to enter the United States. CHEONG stated he had seen two sets of law enforcement pass his vehicle on the Glacier Park Highway 17 after he had picked up SHAWN CHOY. CHEONG admitted to knowing that law enforcement was "on to them" when DAVID CHOY had made the late evening call to his cell phone.

When questioned, SHAWN CHOY admitted to enlisting DAVID CHOY, Kriekle, and CHEONG in a "mission." SHAWN CHOY admitted to no legal status in Canada or the United States. He had entered the United States on a visitor's visa in 1999, then worked illegally for about two years. He met a Canadian woman and moved to Ontario, Canada. The marriage failed and SHAWN CHOY decided to return to Guyana and see his mother in New Jersey. He stated he knew he could not enter the United States legally so he planned the "great escape" and purchased map books of the border. He talked CHEONG, DAVID CHOY and Kriekle into helping him. SHAWN CHOY admitted crossing the border west of the closed Port of Chief Mountain and drew a map of the area and his travel.

Kriekle pled guilty to being an accessory to bringing an illegal alien into the United States and was sentenced to time served.

Assistant U.S. Attorney Elizabeth A. Horsman prosecuted the case for the United States.

The investigation was conducted by the U.S. Customs and Border Protection (CBP).

DIEGO CRUZ-MENDOZA

DIEGO CRUZ-MENDOZA, a 26-year-old citizen of Mexico, was sentenced to a term of:

- Prison: 21 months
- Special Assessment: $200
- Supervised Release: 3 years

CRUZ-MENDOZA was sentenced in connection with his guilty plea to illegal re-entry of a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On January 2, 2008, a Montana Highway Patrol trooper in Dawson County conducted a traffic stop on a vehicle near Glendive. The driver and sole occupant of the vehicle, later identified as CRUZ-MENDOZA, provided the trooper with a permanent resident card and social security card belonging to another person.

An agent with the U.S. Immigration and Customs Enforcement (ICE) was contacted by the Montana Highway Patrol regarding the subject. A review of immigration records found the subject to be CRUZ-MENDOZA, who had a prior deportation on April 7, 2007. A fingerprint analysis also confirmed the subject was CRUZ-MENDOZA and that he had been removed from the United States on April 7, 2007, through El Paso, Texas.

A further review of immigration records did not reveal any evidence that CRUZ-MENDOZA had received permission from the Attorney General or the Secretary of Homeland Security to reenter the United States after being removed on April 7, 2007.

CRUZ-MENDOZA finally admitted that he possessed the false documents knowing that they had been forged.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the Montana Highway Patrol and the U.S. Immigration and Customs Enforcement.

SERGIO CORNEJO-ESPINOZA

SERGIO CORNEJO-ESPINOZA, age 29, was sentenced to a term of:

- Prison: 169 days (time served)

CORNEJO-ESPINOZA was sentenced in connection with his guilty plea to illegal re-entry of a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On January 23, 2008, a Montana Highway Patrol officer encountered CORNEJO-ESPINOZA at the scene of a one-vehicle accident along Interstate 90 near Bozeman. When asked if he was a United States citizen or had lawful authority to be in the United States, CORNEJO-ESPINOZA stated that he was a citizen of Mexico, but had permission to be in the United States. He further stated that he was not in possession of any documentation confirming his status as a lawful U.S. resident.

A review of immigration records determined that CORNEJO-ESPINOZA did not have permission to be in the United States and had been deported on three prior occasions – (1) February 6, 2003, at San Luis, Arizona; (2) March 7, 2003, at San Luis, Arizona; and (3) May 26, 2004, at Nogales, Arizona. A further review found no evidence that CORNEJO-ESPINOZA had applied for or received permission to reenter the United States from either the Secretary of the Department of Homeland Security or the Attorney General.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between the Montana Highway Patrol and the U.S. Immigration and Customs Enforcement.

JOEL COTA-COTA

JOEL COTA-COTA, a 26-year-old citizen of Mexico, pled guilty and was sentenced on the charge of illegal re-entry of a previously deported alien.

COTA-COTA was sentenced to a term of:

- Prison: 39 days, time served
- Special Assessment: $100

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On October 23, 2008, while conducting a routine enforcement operation in Granite County an agent with the U.S. Immigration and Customs Enforcement encountered COTA-COTA. The agent recognized COTA-COTA from a previous encounter in 2004 when he had arrested COTA-COTA and placed him in deportation proceedings. The agent interviewed COTA-COTA concerning his immigration status. COTA-COTA acknowledged that he is a citizen of Mexico and had no authorization to be in the United States. He told the agent that he had entered the United States – on foot and without inspection – near Nogales, Arizona on or about July 5, 2008.

A fingerprint analysis and a review of immigration records confirmed both COTA-COTA'S identity and his status as an illegal alien. COTA-COTA'S immigration file reflects three prior deportations: September 30, 2004, at El Paso, Texas; May 1, 2006, at Nogales, Arizona; and June 15, 2008 at Nogales, Arizona. There is no evidence in COTA-COTA'S immigration file that he applied for or received permission to reenter the United States with either the Secretary of the Department of Homeland Security or the Attorney General.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

LUIS DEBORA-HERNANDEZ

LUIS DEBORA-HERNANDEZ, a 39-year-old citizen of Mexico, was sentenced to a term of:

- Prison: 144 days (time served)

- Supervised Release: 1 year

DEBORA-HERNANDEZ was sentenced in connection with his guilty plea to illegal re-entry of a previously deported alien.

At the sentencing proceeding, the government stated it would have proved at trial the following:

On January 19, 2008, DEBORA-HERNANDEZ was arrested in Laurel. During administrative processing, DEBORA-HERNANDEZ was identified as an alien and citizen of Mexico. He was fingerprinted and identified as having been deported from the United States on August 3, 2007, through El Paso, Texas.

Further investigation revealed that DEBORA-HERNANDEZ did not have the consent of the Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States after being deported.

Assistant U.S. Attorney James E. Seykora prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

JULIO CESAR GIRON-GUERRERO

JULIO CESAR GIRON-GUERRERO, a 29-year-old citizen of Guatemala, was sentenced to a term of:

- Prison: 4 months (time served)
- Supervised Release: 1 year

GIRON-GUERRERO was sentenced in connection with his guilty plea to illegal re-entry of a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 11, 2008, an agent with the U.S. Customs and Border Protection was notified by Canada Border Services Agency (CBSA) that GIRON-GUERRERO, a citizen of Guatemala, had attempted to enter Canada but was refused entry. GIRON-GUERRERO then returned to Sweetgrass and appeared at the port of entry. He presented a Guatemalan passport which had no evidence of any current Immigration status or permission to be in the United States. GIRON-GUERRERO was referred for secondary processing.

During secondary inspection, a records check revealed that GIRON-GUERRERO had previously been removed on 3 previous occasions.

When interviewed again, GIRON-GUERRERO stated he was born in Guatemala and had resided there until 2005. GIRON-GUERRERO also admitted that he had been deported previously, in October of 2006 and January of 2007. After deportation, he had re-entered the United States without inspection on two different occasions, with the most recent being on March 2, 2007 near Douglas, Arizona.

Further review of the records revealed no evidence that GIRON-GUERRERO ever requested permission to apply for re-entry into the United States from the Attorney General of the United States, or his successor, the Secretary of the Department of Homeland Security.

Assistant U.S. Attorney Elizabeth A. Horsman prosecuted the case for the United States.

The investigation was conducted by the U.S. Customs and Border Protection.

JORGE GOMEZ-VEGA

JORGE GOMEZ-VEGA, a 32-year-old resident of Mexico, was sentenced to a term of:

- Prison: 59 days, time served
- Special Assessment: $100

GOMEZ-VEGA was sentenced in connection with his guilty plea to illegal re-entry.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On October 4, 2008, a Montana Highway Patrol officer stopped on Interstate 90 near Alberton to assist some individuals fixing a flat tire on a minivan. GOMEZ-VEGA was a passenger in the van, along with two other men. Because the van was not properly registered, the officer cited the driver and impounded the vehicle. The officer told the driver that the van would be released if proof of ownership was provided to Mineral County on October 6. The officer suspected that the four occupants of the van might be illegal aliens, so after his encounter with them he contacted the U.S. Immigration and Customs Enforcement (ICE).

An ICE agent determined that all four occupants of the van were likely illegal aliens and that GOMEZ-VEGA and the driver had been deported from the United States on prior occasions. On October 6, 2008, when the driver went to the Mineral County Courthouse to provide proof of ownership for the van, ICE placed him under arrest. The agent also located and arrested GOMEZ-VEGA. He had both men's fingerprints analyzed which revealed that GOMEZ-VEGA was an illegal alien and had been deported through Houston, Texas on October 3, 2005. There is no evidence in GOMEZ-VEGA's immigration file that he had applied for or received permission to

reenter the United States with either the Secretary of the Department of Homeland Security or the Attorney General.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was conducted by a cooperative effort between the U.S. Immigration and Customs Enforcement and the Montana Highway Patrol.

FERNANDO GONZALEZ

FERNANDO GONZALEZ, a 36-year-old citizen of Mexico, was sentenced to a term of:

- Prison: 4 months and 5 days (time served), will be deported

GONZALEZ was sentenced in connection with his guilty plea to one charge of false impersonation of a citizen of the United States.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On the afternoon of January 15, 2008, GONZALEZ arrived at the Sweetgrass Port of Entry. He was in a truck lane and hauling a commercial load. Canada had refused entry to him due to insufficient proof of citizenship and his criminal history. GONZALEZ gave the U.S. Customs and Border Protection (CBP) officers a California driver's license in the name of Herardo Bolanos. He told officers he was a United States citizen born in California. CBP officers referred GONZALEZ for further inspection.

During the secondary inspection, CBP officers obtained and submitted GONZALEZ'S fingerprints to a computerized database. This query produced a FBI record associated with GONZALEZ'S fingerprints. The FBI record had several aliases for GONZALEZ and several different dates of birth. The record also showed that GONZALEZ had been born in Mexico and was a citizen of Mexico. When questioned about his citizenship, GONZALEZ continued to state that he was a citizen of the United States, born in Los Angeles. He continued to insist his name was Herardo Bolanos, born on February 3, 1965.

GONZALEZ completed an Immigration Declaration form. On this form, GONZALEZ declared that his name was Bolanos and that he was an U.S. citizen.

CBP officers then searched GONZALEZ'S vehicle. This search produced several records and documents in the name of Fernando Gonzalez, including an immunization record (with a February 20, 1971, date of birth), a cell phone bill, and a credit card. When questioned regarding these documents, GONZALEZ stated he had no idea who Fernando Gonzalez was. CBP Officers found one Social Security card in the name of Fernando Gonzalez Melgar and one Social Security card in the name of Herardo

Bolanos in GONZALEZ'S wallet. A further review of the documents indicated that GONZALEZ has a son named Fernando Gonzalez Melgar.

On January 16, 2008, further review of the documents found in GONZALEZ'S truck produced two birth certificates in the name of Herardo Bolanos with a date of birth of February 2, 1965. Officers also found an United States Citizenship and Immigration Service (USCIS) petition for an alien relative. These records indicated that a woman named Aleyda Guadalupe Melgar, born June 19, 1973, was applying for Immigration status for her alien spouse, Fernando Gonzalez, with a date of birth of June 15, 1971. A copy of a marriage certificate for Fernando Gonzalez and Aleida Guadalupe Melgar was attached to the petition. Attached also to the petition was Form G-325, biographic information for Fernando Gonzalez, with a photocopy of a photograph of GONZALEZ. Also found among the documents was a Mexican translation of birth certificate for Fernando Gonzalez Dominguez, indicating he was born on June15, 1971, in Mexico.

CBP officers then prepared paperwork to begin removal proceedings. At that time, GONZALEZ admitted he had entered the United States without inspection in 1998 at a place not designated as a port of entry.

Assistant U.S. Attorney Elizabeth A. Horsman prosecuted the case for the United States.

The investigation was conducted by the U.S. Customs and Border Protection, Office of Field Operations at the Port of Sweetgrass.

JOSE HERNANDEZ-BUSTOS

JOSE HERNANDEZ-BUSTOS, age 38, was sentenced to a term of:

- Prison: 4 months, with credit for time served and then to be deported
- Special Assessment: $100
- Supervised Release: 6 months

HERNANDEZ-BUSTOS was sentenced in connection with his guilty plea to illegal re-entry of a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On August 9, 2008, an agent with the U.S. Immigration and Customs Enforcement was contacted by the Rosebud County Sheriff's Office regarding a traffic stop near Forsyth. It was determined that the driver of the vehicle, HERNANDEZ-BUSTOS, was in the United States illegally.

Upon his arrest, an analysis of his fingerprints identified HERNANDEZ-BUSTOS as a

citizen of Mexico who had previously been removed from the United States on May 10, 2005, through Paseo Del Norte, Texas.

A further review of immigration records did not reveal any evidence that HERNANDEZ-BUSTOS had received permission from the Attorney General or the Secretary of Homeland Security to reenter the United States after having been removed on May 10, 2005.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

JUAN RAMON HOLGUIN-VERDUZCO

JUAN RAMON HOLGUIN-VERDUZCO, a 44-year-old resident of Mexico and California, was sentenced to a term of:

- Prison: 12 months
- Special Assessment: $100
- Supervised Release: 1 year

HOLGUIN-VERDUZCO was sentenced in connection with his guilty plea to false impersonation of a United States citizen.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On November 15, 2007, at approximately 4:03 p.m., HOLGUIN-VERDUZCO arrived at the Sweetgrass port of entry after returning from a trip to Canada. HOLGUIN-VERDUZCO had delivered a commercial trailer to a business in Canada. HOLGUIN-VERDUZCO is a citizen of Mexico.

Upon his arrival in the United States at Sweetgrass, HOLGUIN-VERDUZCO presented a U.S. Customs and Border Patrol (CBP) officer an expired United States passport, in the name of George Martinez, date of birth August 25, 1955, in Arizona. The officer became suspicious of the passport and sent HOLGUIN-VERDUZCO inside the main inspection lobby for further questioning.

Another CBP officer examined the passport and became suspicions of the security features so she fingerprinted HOLGUIN-VERDUZCO. While his fingerprints were being processed, the officer questioned HOLGUIN-VERDUZCO about how he had obtained his passport. HOLGUIN-VERDUZCO stated that he had used a fraudulent birth certificate that a cousin had given to him when he applied for the passport. The fingerprint analysis found that he was actually JUAN RAMON HOLGUIN-VERDUZCO.

A review of immigration records found that HOLGUIN-VERDUZCO had been apprehended by United States Border Patrol officers in southern California on July 19, 1986. On August 15, 1986, HOLGUIN-VERDUZCO was transferred to the Immigration and Naturalization Service (INS) processing center in Houston, Texas, and subsequently granted a voluntary departure from the United States on the same date at Brownsville, Texas. He was thus not formally deported at that time.

During a search, documents were found in HOLGUIN-VERDUZCO'S possession in the name of George Martinez, purporting the holder to have been born in Arizona on August 25, 1955, bearing HOLGUIN-VERDUZCO'S photograph.

Assistant U.S. Attorney Elizabeth A. Horsman prosecuted the case for the United States.

The investigation was conducted by the U.S. Customs and Border Protection.

EDUARDO IBARRA-PALACIOS

EDUARDO IBARRA-PALACIOS, age 31, was sentenced to a term of:

- Prison: 20 months
- Special Assessment: $100

IBARRA-PALACIOS was sentenced in connection with his guilty plea to re-entry of a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

At approximately 2:00 a.m. on September 15, 2007, a Great Falls Police Department officer conducted a traffic stop on a vehicle. The driver, later identified as IBARRA-PALACIOS, provided the officer with a fictitious name of Eduardo Sanchez.

During a search of the vehicle, the officer located a Texas identification card in the visor which bore the name of Eduardo Ibarra. When questioned as to why he had lied about his identity, IBARRA-PALACIOS stated that he was afraid of being deported again.

A short time later, an agent with the U.S. Immigration and Customs Enforcement conducted a telephonic interview with IBARRA-PALACIOS to determine his alienage. When questioned about his citizenship, IBARRA-PALACIOS admitted to being illegally in the United States as well as having been previously deported. He stated that he had been born in Mexico and that at the age of 9 his mother had brought him to the United States.

A review of immigration records revealed that IBARRA-PALACIOS had previously been

deported through the Brownsville, Texas, Port of Entry on February 12, 2007. A criminal history check revealed numerous arrests and subsequent convictions, which included a felony burglary of a habitation on January 19, 1998, in Cameron County, Texas (considered a crime of violence); and felony possession of a controlled substance (cocaine), on February 20, 2005, in Galveston, Texas.

Upon further questioning, IBARRA-PALACIOS stated that after his previous deportation (February 12, 2007) he had returned to the United States a short time later. IBARRA-PALACIOS stated that he had returned to the United States by driving through the Laredo, Texas, Port of Entry and claiming that he was a United States citizen.

A review of Department of Homeland Security records do not indicate that IBARRA-PALACIOS ever received permission to reenter the United States from the Secretary of the Department of Homeland Security.

Assistant U.S. Attorney Elizabeth A. Horsman prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement and the Great Falls Police Department.

MALCOLM REID McDONALD

MALCOLM REID McDONALD, a 56-year-old resident of Colorado Springs, Colorado, appeared for sentencing. McDONALD was sentenced to a term of:

- Prison: 33 months
- Special Assessment: $200
- Supervised Release: 3 years

McDONALD was sentenced in connection with his guilty plea to misuse of a Social Security number and aggravated identity theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On September 20, 2007, at approximately 11:15 p.m., McDONALD arrived at the Sweetgrass Port of Entry, escorted by two Canada Border Services Agency (CBSA) officers. The CBSA officers stated they had refused McDONALD entry into Canada. McDONALD had represented himself to them to be “Vernon Lee Jenkins” with birth date of November 1, 1951, and was refused entry due to Jenkins’ criminal record. He had also presented CBSA officers the following items as evidence of his identity as Jenkins:

A. a Wisconsin birth certificate for Vernon Lee Jenkins;

B. a Social Security card number ***-**-5614 in the name of Vernon Lee Jenkins;
C. a valid Colorado driver's license in the name of Vernon Lee Jenkins; and,
D. a purported letter-offer of employment from Bry Sand Concrete, Edmonton.

CBSA officers had also searched McDONALD'S vehicle and found numerous other identifications that did not belong to him. CBSA turned all the documents over to the U.S. Customs and Border Protection (CBP) when they delivered McDONALD, still believing him to be Jenkins.

CBP officers searched McDONALD'S vehicle, registered in the name of Vernon Lee Jenkins, Aurora, Colorado. In it they found an additional Social Security card in the name of Vernon Jenkins, but with a different number than the first Social Security card presented to CBSA and CBP officers.

A fingerprint analysis confirmed his identity as McDONALD and as a United States citizen linked to FBI record #407665H. The FBI record showed an extensive criminal record going back to 1970 including armed robbery, burglary, possession of dangerous drugs, criminal impersonation, and other crimes.

Officers also found the following documents in McDONALD'S possession:

A. a Colorado Department of Corrections Inmate Identification card dated June 30, 1981, in the name of Malcolm R. McDONALD, DOB **/**/1951;
B. a valid Social Security card in the name of Malcolm R. McDonald (SSN ***-**-8557); and
C. two birth certificates from the State of New Hampshire in the name of Malcolm Reid McDONALD, DOB **/**/1951.

Assistant U.S. Attorney Elizabeth A. Horsman prosecuted the case for the United States.

The investigation was conducted by the U.S. Customs and Border Protection, Office of Field Operations, Port of Sweetgrass.

ALEJANDRO MONJE-GARCIA

ALEJANDRO MONJE-GARCIA, a 31-year-old citizen of Mexico, was sentenced to a term of:

- Prison: 133 days (time served)
- Special Assessment: $100

MONJE-GARCIA was sentenced in connection with his guilty plea to illegal re-entry of a

previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On October 21, 2006, a Montana Highway Patrol officer stopped a vehicle that MONJE-GARCIA was driving on Interstate 90 near Superior. The officer eventually searched the vehicle and seized a significant quantity of marijuana, for which MONJE-GARCIA was charged and convicted by the State of Montana.

An agent with U.S. Immigration and Customs Enforcement interviewed MONJE-GARCIA during the course of the investigation and MONJE-GARCIA admitted that he was an alien illegally present in the United States.

A review of immigration records reflected that MONJE-GARCIA was deported from the United States on March 21, 2001, from Otay Mesa, California. A further review of immigration records found no evidence that MONJE-GARCIA had applied for permission to reenter the United States with either the Secretary of the Department of Homeland Security or the Attorney General.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Immigration and Customs Enforcement and the Montana Highway Patrol.

ROBERT PAUL MUNOZ

ROBERT PAUL MUNOZ, a 49-year-old resident of Las Vegas, Nevada, was sentenced to a term of:

- Probation: 1 year
- Special Assessment: $100

MUNOZ was sentenced after having been found guilty during a 1½-day trial of making false statements by misrepresenting the existence of a hidden passenger in the commercial truck he was driving upon inspection to enter the United States.

Assistant U.S. Attorney Elizabeth A. Horsman prosecuted the case for the United States.

The investigation was conducted by the U.S. Customs and Border Protection, Office of Field Operations - Sweetgrass Port of Entry.

JAMES DOUGLAS MURRAY

JAMES DOUGLAS MURRAY, a 40-year-old resident of Edmonton, Canada, was sentenced to a term of:

- Prison: 12 months
- Special Assessment: $100
- Supervised Release: 2 years

MURRAY was sentenced in connection with his guilty plea to making false statements.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On the afternoon of December 27, 2007, MURRAY arrived at the Sweetgrass Port of Entry for inspection for entry into the United States. MURRAY was traveling with a woman and they were purportedly traveling to Great Falls. MURRAY'S name and identifying information were entered into a security computer system, resulting in a positive hit. Both MURRAY and the female companion were referred for secondary inspection.

MURRAY and the female companion completed baggage declaration and immigration declaration forms in writing. MURRAY indicated he was a citizen of Canada and indicated that he had never been deported. However, he did indicate that he had been arrested, fingerprinted, and/or charged with a crime before. MURRAY explained his affirmative answers in writing by stating that he had been, "Arrested served time for break and enter released on parole. Parole expired about 9 years. One charge, B & E in South Carolina 14 years ago."

A Canadian criminal records check revealed MURRAY had 31 convictions for crimes classifiable as crimes involving morale turpitude, spanning years 1984 to 1994. A criminal record in the United States was also found and revealed convictions in South Carolina for burglary, a 3rd degree felony, and grand larceny.

An analysis of MURRAY'S fingerprints revealed that he had been deported from the United States on April 14, 1994, through Atlanta, Georgia.

Assistant U.S. Attorney Elizabeth A. Horsman prosecuted the case for the United States.

The investigation was conducted by the U.S. Customs and Border Protection - Port of Sweetgrass.

MARIO OLIVAS-CORONA

MARIO OLIVAS-CORONA was sentenced to a term of:

- Prison: months
- Special Assessment: $
- Supervised Release: years

OLIVAS-CORONA was sentenced in connection with his guilty plea to illegal re-entry of a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

June 2, 2008, OLIVAS-CORONA arrived at the Sweetgrass Port of Entry. OLIVAS-CORONA was traveling with three other individuals. OLIVAS-CORONA presented three different documents issued by the government of Mexico for himself, but did not have a passport. The vehicle and its occupants were referred for secondary inspection.

Name checks during secondary inspection produced a record of a prior removal for OLIVAS-CORONA on September 21, 2004, through the Port of El Paso, Texas. Officers also learned that OLIVAS-CORONA had an outstanding state warrant for sexual assault of a child in Colorado from 1999.

During the secondary interview, OLIVAS-CORONA admitted he was a citizen of Mexico and had been deported in September 2004. He stated that after removal he crossed the border without inspection near Douglas, Arizona. He had paid a coyote (a commercial human smuggler) $1,700 approximately six months after his removal and had lived in the United States for the past three years.

Further review of immigration records revealed no evidence that OLIVAS-CORONA ever requested permission to apply for re-entry into the United States from the Attorney General of the United States, or his successor, the Secretary of the Department of Homeland Security.

Assistant U.S. Attorney Elizabeth A. Horsman prosecuted the case for the United States.

The investigation was conducted by the U.S. Customs and Border Protection, Office of Field Operations, Port of Sweetgrass.

MARIO PEREZ-CHAVEZ

MARIO PEREZ-CHAVEZ, age 33, was sentenced to a term of:

- Prison: 84 months
- Special Assessment: $100
- Supervised Release: 3 years

PEREZ-CHAVEZ was sentenced in connection with his guilty plea to illegal re-entry of a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On July 10, 2007, PEREZ-CHAVEZ was encountered by the Darby police during a routine traffic stop. He was not in possession of any form of identification and gave the officer a fake name. He later admitted that he was not legally in the United States.

An analysis of his fingerprints corresponded to the name MARIO PEREZ-CHAVEZ. PEREZ-CHAVEZ'S immigration records indicated that he was not a citizen of the United States, had no legal basis to support his entry into the country, and had been deported from the United States on five prior occasions, including: April 12, 1993, from Otay Mesa, California; December 1, 1993, from Otay Mesa, California; April 18, 1997, from Nogales, Arizona; December 28, 1998, from Calexico, California; and, November 23, 2005, from Calexico, California.

A further review of immigration records contain no evidence that PEREZ-CHAVEZ had applied for or received permission to enter the United States from either the Attorney General or the Secretary of the Department of Homeland Security.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was a cooperative effort between the Darby Police Department and the U.S. Immigration and Customs Enforcement.

COSME SANCHEZ-ESPINO

COSME SANCHEZ-ESPINO, age 25, was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $100
- Supervised Release: 3 years

SANCHEZ-ESPINO was sentenced in connection with his guilty plea to illegal re-entry of a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On June 22, 2007, deputies from the Meagher County Sheriff's Office encountered COSME SANCHEZ-ESPINO while investigating a loud noise complaint at a campground. SANCHEZ-ESPINO identified himself as Gustavo Barragan-Huezo with a Washington State driver's license. SANCHEZ-ESPINO was detained due to prior information that SANCHEZ-ESPINO'S status in the United States was not known and the U.S. Immigration and Customs Enforcement (ICE) wanted to investigate.

By checking SANCHEZ-ESPINO'S fingerprints with immigration records, it was revealed that SANCHEZ-ESPINO is Barragan's true name and that he is a citizen of Mexico. It also revealed that SANCHEZ-ESPINO had been previously deported from the United States five times: April 15, 2003, from Otay Mesa, CA; April 30, 2004, from Otay Mesa, CA; July 12, 2004, from San Ysidro, CA; August 18, 2004, from Nogales, AZ; and September 9, 2006, from San Ysidro, CA.

During an interview on June 26, 2007, SANCHEZ-ESPINO admitted that he is a citizen and national of Mexico who had been previously deported from the United States five times. He further admitted to being in the United States illegally.

A further review of the records revealed no evidence that SANCHEZ-ESPINO ever requested permission to apply for re-entry into the United States from the Attorney General of the United States, or his successor, the Secretary of the Department of Homeland Security.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Meagher County Sheriff's Office and the U.S. Immigration and Customs Enforcement.

EFRAIN SANCHEZ-PULIDO

EFRAIN SANCHEZ-PULIDO, a 30-year-old citizen of Mexico, was sentenced to a term of:

- Prison: time served (7 months and 21 days)
- Supervised Release: 1 year

SANCHEZ-PULIDO was sentenced in connection with his guilty plea to illegal re-entry of a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On February 11, 2008, an agent with the U.S. Immigration and Customs Enforcement (ICE) learned that Yellowstone County Sheriff's deputies had stopped a vehicle near Laurel. A passenger of the vehicle, SANCHEZ-PULIDO, was interviewed telephonically

by the ICE agent. SANCHEZ-PULIDO admitted that he is a citizen of Mexico in the United States illegally.

On February 12, 2008, SANCHEZ-PULIDO was transported to the Office of the United States Border Patrol in Billings where an analysis of his fingerprints confirmed that he was Efrain Sanchez-Pulido, an individual who had been removed from the United States on March 9, 2006, through Brownsville, Texas. A further review of immigration records did not reveal any evidence that SANCHEZ-PULIDO had received permission from the Attorney General or the Secretary of Homeland Security to reenter the United States after being removed on March 9, 2006.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the U.S. Immigration and Customs Enforcement.

ANDRE DANIEL SABOURIN

ANDRE DANIEL SABOURIN, a 54-year-old citizen of Canada, was sentenced to a term of:

- Prison: 181 days (time served)
- Special Assessment: $100
- Supervised Release: 1 year

SABOURIN was sentenced in connection with his guilty plea to illegal re-entry by a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

SABOURIN was previously deported from the United States on October 24, 1996, through the Port of Highgate Springs, Vermont.

On June 6, 2008, SABOURIN admitted that he had voluntarily re-entered the United States after having been deported and knowingly remained in this country. He also admitted that he had no legal immigration status in the United States and that he had never applied for permission to re-enter the Untied States after being deported.

A review of immigration records found that SABOURIN had been refused entry into the United States on numerous occasions due to his criminal history. A further review revealed no evidence that SABOURIN ever requested permission from immigration authorities to apply for re-entry into the United States.

Assistant U.S. Attorney Michael S. Lahr prosecuted the case for the United States.

The investigation was conducted by the U.S. Customs and Border Protection, Office of Field Operations, Port of Sweetgrass.

MAKHAN SINGH

MAKHAN SINGH, a 48-year-old citizen of India, was sentenced to a term of:

- Prison: 5 months, time served
- Special Assessment: $100
- Fine: $1,500
- Supervised Release: 2 years

SINGH was sentenced in connection with his guilty plea to attempted re-entry of a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On December 29, 2007, SINGH, arrived from Canada for inspection at the Sweetgrass Port of Entry. In primary inspection, SINGH stated he was en route to Bakersfield, California. He was accompanied by his parents and his son, age 16, born in the United States and a United States citizen. SINGH presented a New York state driver's license and an employment authorization. The employment authorization card was to expire a few days later on January 4, 2008.

The CBP officer referred SINGH for secondary inspection to verify his immigration status in the United States.

SINGH, with the assistance of his son, completed a written immigration declaration form on which he indicated he had never used another name; never been deported from the United States; or ever been arrested. SINGH also stated on the form that he had lived in California for over six years and that he had lived in the United States for 22 years.

A fingerprint analysis revealed that he had used the name Hardinger Singh when he was arrested by the U.S. Border Patrol in San Ysidro, California, on June 25, 1986. A review of immigration records found that INS had ordered SINGH deported to India under the name Hardinger Singh on August 14, 1986, *in absentia,* because he had failed to appear at his immigration hearing after being released from immigration custody.

When questioned further, SINGH initially continued to deny he had ever used another name or he had ever been arrested. SINGH finally admitted that in 1986 he used the name Hardinger Singh and that the U.S. Border Patrol had arrested him when he was smuggled into the United States illegally from Mexico. SINGH further admitted that in 1988 he falsely represented his arrest record and prior use of the name Hardinger

Singh when he later applied for legal status in the United States as Makhan Singh.

A further review of immigration records found that SINGH had entered the United States since ordered removed in 1986 on four dates prior to December 29, 2007.

Further review of the records revealed no evidence that SINGH ever requested permission to apply for re-entry into the United States from the Attorney General of the United States, or his successor, the Secretary of the Department of Homeland Security.

Assistant U.S. Attorney Elizabeth A. Horsman prosecuted the case for the United States.

The investigation was conducted by the U.S. Customs and Border Protection.

CESAR SOLACHE-PEREZ

CESAR SOLACHE-PEREZ, a 28-year-old resident of Mexico, was sentenced to a term of:

- Prison: 12 months
- Special Assessment: $100
- Supervised Release: 1 year

SOLACHE-PEREZ was sentenced in connection with his guilty plea to illegal re-entry by a previously deported alien.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On July 15, 2008, SOLACHE-PEREZ was encountered by law enforcement at the Laurel Ridge Motel. When questioned, SOLACHE-PEREZ admitted that he is a citizen of Mexico and was in the United States illegally.

A fingerprint analysis revealed that SOLACHE-PEREZ had previously been removed from the United States on May 26, 2008, through Naco, Arizona. A search of immigration records did not reveal any evidence that SOLACHE-PEREZ had received permission from the Attorney General or the Secretary of Homeland Security to reenter the United States after being removed.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the Laurel Police Department and the U.S. Immigration and Customs Enforcement.

ALIK SZILLAT

ALIK SZILLAT, a 46-year-old resident of Germany, was sentenced to a term of:

- Prison: 214 days, time served
- Special Assessment: $100
- Supervised Release: 3 years

SZILLAT was sentenced in connection with his guilty plea to fraud in connection with identification documents and information.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On June 19, 2007, SZILLAT, a German citizen, was refused entry into Canada. U.S. Customs and Border Protection (CBP) officers at the Port of Roosville, north of Eureka, found several documents in SZILLAT'S possession which included the following: (2) German National Identification documents, (2) German driver's licenses, and (2) American Express Cards. Both sets of government documents contained pictures of SZILLAT, but one set of the documents had the name Herbert Matzkeit with a date of birth of April 20, 1972.

CBP officers questioned SZILLAT about these documents. He stated that the documents belonged to a friend of his in Germany and he took them by accident prior to traveling to the United States. SZILLAT told CBP officers that he and his friend look very much alike and are often mistaken for brothers. He stated he had been staying with a friend of his in Salmon, Idaho, since arriving in the United States, but denied working in the United States.

CBP officers contacted an agent with the U.S. Immigration and Customs Enforcement (ICE). The ICE agent then called and spoke with SZILLAT'S friend in Idaho about SZILLAT. The friend would have testified that SZILLAT had been working for him since SZILLAT arrived in late April of 2007. The friend owns several businesses and paid SZILLAT to move inventory as well as perform odd jobs. In exchange for his work, the friend paid SZILLAT $300 a week and provided him a cabin to live in at a resort that he owns near Salmon, Idaho. SZILLAT was admitted as a visitor to the United States and therefore was not permitted to work in the United States.

When SZILLAT was arrested, he was instructed to remove an overcoat and a leather vest he was wearing. Inside the pocket of the vest were a large number of documents. Discovered among the documents was an additional German passport different from the passport SZILLAT presented for admission to the United States. This second German passport was in the name of Herbert Matzkeit.

On June 20, 2007, SZILLAT was interviewed and admitted that he had taken his

friend's birth certificate (Herbert Matzkeit's) while in Germany and used it to apply for and obtain a passport, a driver's license, and a national identification card in Matzkeit's name, but bearing his, SZILLAT'S, picture. SZILLAT stated he had not used the documents yet but anticipated using them once the visa assigned to his own true passport expired.

During the investigation, authorities learned that SZILLAT is a fugitive wanted by German authorities for fraud offenses.

Assistant U.S. Attorney Elizabeth A. Horsman prosecuted the case for the United States.

The investigation was a cooperative effort between the U.S. Customs and Border Protection and the U.S. Immigration and Customs Enforcement.

RICHARD TESTORE

RICHARD TESTORE, a 43-year-old resident of Saskatchewan, Canada, was sentenced to a term of:

- Prison: 114 days, time served
- Special Assessment: $100

TESTORE was sentenced in connection with his guilty plea to making false statements to federal border officials.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On November 3, 2007, TESTORE, a Canadian citizen, presented himself for inspection by Customs and Border Protection officers (CBPO) at the Raymond Port of Entry. He was driving a black 1997 Mercedes Benz with Alberta license plates JTY031. TESTORE presented an Alberta driver's license in his name. TESTORE stated he was traveling to Culbertson to pick up a vehicle for a friend and planned to return the same day. An officer asked TESTORE if he had ever been arrested and TESTORE replied, "No." The officer referred TESTORE for further immigration inspection.

In the secondary inspection, TESTORE was asked if he had ever been arrested and he again replied, "No." TESTORE was then given an Immigration Declaration form to complete. TESTORE completed the declaration form and answered "No" to the questions that asked if he had ever been deported, fingerprinted, charged with a crime, arrested, or convicted of a crime anywhere in the world. TESTORE signed and dated the Immigration Declaration form. TESTORE was then asked to verify his answers verbally, to which he stated again that he had never been deported, fingerprinted, charged with a crime, arrested or convicted of a crime anywhere in the world.

TESTORE continued to deny ever having been deported, fingerprinted, charged with a crime, arrested or convicted of a crime anywhere in the world for approximately two (2) hours.

TESTORE'S fingerprints were taken and a records check revealed that he had been arrested April 7, 1986, by the Miami-Dade (Florida) Police Department for possession of six pounds of marijuana. He was convicted of possession of Marijuana, on May 28, 1986, and sentenced to fifty-two days. NCIC records further indicated that TESTORE had been arrested on July 26, 1988, by the Clayton County Sheriff's Office, Georgia, for trafficking in cocaine. He was convicted on January 25, 1989, and sentenced to ten years.

A review of immigration records revealed that TESTORE had been deported from the United States on June 12, 1990, through Dallas, Texas.

On November 4, 2007, TESTORE was questioned again. He then admitted he had wanted to enter the United States to retrieve an automobile for a friend. He further admitted he had been convicted of drug possession in Florida and cocaine trafficking in Georgia and that he had been deported from the United States.

Assistant U.S. Attorney Elizabeth A. Horsman prosecuted the case for the United States.

The investigation was conducted by the U.S. Customs and Border Protection Office of Field Operations.

INDIAN COUNTRY - BLACKFEET RESERVATION

DAVID PAUL BEARCHILD

DAVID PAUL BEARCHILD, a 23-year-old resident of Browning, was sentenced to a term of:

- Prison: 30 months
- Supervised Release: 3 years

BEARCHILD was sentenced in connection with his guilty plea to involuntary manslaughter.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

DAVID PAUL BEARCHILD is an enrolled member of the Blackfeet Tribe of Indians. The crime occurred on the Blackfeet Indian Reservation.

On or about April 26, 2008, BEARCHILD drove to Cut Bank to purchase beer. During the course of the afternoon he drank seven to nine beers and a couple of shots of Crown Royal whiskey.

BEARCHILD drove to another residence, and while there, drank more alcohol for several hours. BEARCHILD then drove a red Ford pick-up truck to his relative's house which is located on the Blackfeet Indian Reservation.

BEARCHILD parked the truck in his relative's driveway and sat in the truck talking to another individual. After a few minutes, BEARCHILD put the truck in reverse and backed out of the driveway. As he back out of the driveway, BEARCHILD ran over the head and body of T.P.R., a two-year-old child. BEARCHILD then saw another individual come out of the house and pick up the 2-year-old child, T.P.R. BEARCHILD saw blood on the child's face and took off running. Moments later BEARCHILD went to the Indian Health Services hospital in Browning to check the status of the child, and was arrested by BIA officers. T.P.R. died as a result of the injures received from being run over by BEARCHILD. At or near the time of the incident, BEARCHILD'S blood alcohol-level was 0.21 gm/100 ml, which is above the legal limit.

Assistant U.S. Attorney E. Vincent Carroll prosecuted the case for the United States.

The investigation was conducted by the Bureau of Indian Affairs in Browning.

STUART RICHARD BROWN

STUART RICHARD BROWN, a 19-year-old resident of Browning, was sentenced to a term of:

- Prison: 46 months
- Special Assessment: $100
- Restitution: $3,400
- Supervised Release: 3 years

BROWN was sentenced in connection with his guilty plea to assault with a dangerous weapon.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On July 19, 2007, BROWN and three juveniles got into an argument with M.W. After the argument, M.W. threw a beer bottle through the back window (which was missing) of the car that BROWN and the juveniles were riding in. The bottle hit one of the juveniles in the head, and then burst into pieces on the dashboard. BROWN grabbed a metal baseball bat from the car and proceeded to beat M.W. in the back and legs approximately 6-12 times.

The juvenile driver and one juvenile passenger also punched and kicked M.W.

M.W. remained conscious and went to a friend's house and then to the hospital. M.W. was given pain medication and sent home.

On July 23, 2007, M.W. again went to the hospital with complaints of severe leg pain and illness. M.W. was diagnosed with Rhabdomylosis and transported to the Kalispell Regional Medical Center. Doctors removed the severely injured leg, but M.W. died the day after surgery due to Necrotizing Fascitis and Sepsis, complications resulting directly from the wounds sustained during the assault.

Assistant U.S. Attorney E. Vincent Carroll prosecuted the case for the United States.

The investigation was a cooperative effort between the Bureau of Indian Affairs and the Federal Bureau of Investigation.

CHARLES EARL JACKSON

CHARLES EARL JACKSON, a 35-year-old resident of Harlem, was sentenced to a term of:

- Prison: 120 months, consecutive to another sentence
- Special Assessment: $100
- Supervised Release: 3 years

JACKSON was sentenced in connection with his guilty plea to assault with a dangerous weapon.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On the evening of April 7, 2007, JACKSON and a companion were at JACKSON'S grandfather's residence. At approximately 12:00 a.m. on April 8, 2007, an altercation ensued between JACKSON and his grandfather. At the end of the altercation JACKSON left the residence.

However, JACKSON later returned to the residence, grabbed a baseball bat, and struck his grandfather's head with the bat several times. Testimony by a medical doctor would have shown that the victim was seriously injured as a result of the assault.

When interviewed, JACKSON admitted that he had struck his grandfather with the baseball bat on the night in question.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

SHARON MARY KICKING WOMAN

SHARON MARY KICKING WOMAN, a 46-year-old resident of Browning, was sentenced to a term of:

- Prison: 21 months
- Special Assessment: $100
- Supervised Release: 3 years

KICKING WOMAN was sentenced in connection with her guilty plea to burglary.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On September 20, 2006, M.E., son of G.E., arrived at G.E.'s residence in Browning. When M.E. drove up to the residence, M.E. saw M.E.N.R. flee from the residence. M.E. went inside and found KICKING WOMAN trying to disconnect a DVD/VCR player from the entertainment center. M.E. also noticed that food had been taken from the pantry, freezer, and refrigerator. M.E. told KICKING WOMAN that M.E. was going to call the police. KICKING WOMAN then ran from the house.

The police arrived a short time later. After taking a statement from M.E., the police went and located M.E.N.R. and KICKING WOMAN in a nearby house. KICKING WOMAN later gave a statement in which she said that she and M.E.N.R. went to M.E.'s house because M.E.N.R. wanted to get food and other things. While inside, M.E.N.R. went through the refrigerator and tried to take the television, but did not.

Assistant U.S. Attorney Vince Carroll prosecuted the case for the United States.

The investigation was conducted by the Bureau of Indian Affairs.

SHANE MAGGI

SHANE MAGGI, a 35-year-old resident of Browning, was sentenced to a term of:

- Prison: 507 months
- Special Assessment: $400
- Supervised Release: 3 years

MAGGI was sentenced after having been found guilty during a 1½-day trial of assault with a dangerous weapon and the use of a firearm during the commission of a crime of violence.

Assistant U.S. Attorney Vince Carroll prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

PATRICK ALBERT MARCEAU

PATRICK ALBERT MARCEAU was sentenced to a term of:

- Prison: 27 months, consecutive to another sentence
- Special Assessment: $100

MARCEAU was sentenced in connection with his guilty plea to burglary.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On April 26, 2007, MARCEAU burglarized a residence on the Blackfeet Indian Reservation. MARCEAU stated that he approached the residence upon seeing that the house was dark. MARCEAU knocked on the door and when no one answered, he proceeded to kick the door in with his foot. MARCEAU then entered the residence and stole a Playstation-2 video game set, a television set, and various Playstation-2 video games.

MARCEAU later sold the television, and while attempting to sell the Playstation-2, he was apprehended and taken into custody.

Assistant U.S. Attorney Vince Carroll prosecuted the case for the United States.

The investigation was conducted by the Bureau of Indian Affairs - Browning.

JOHNNY LYNN OLD CHIEF and MAYNARD MICHAEL OLD CHIEF

JOHNNY LYNN OLD CHIEF, age 44, and MICHAEL OLD CHIEF, age 41, residents of Browning, were sentenced.

JOHNNY LYNN OLD CHIEF was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Supervised Release: 3 years

MICHAEL OLD CHIEF was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100

- Supervised Release: 3 years

MICHAEL OLD CHIEF was sentenced after having been found guilty of assault with a dangerous weapon.

JOHNNY LYNN OLD CHIEF was sentenced after having been found guilty of aiding and abetting.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was conducted by the Bureau of Indian Affairs.

AMANDA OLD CROW

AMANDA OLD CROW, a 30-year-old resident of Browning, was sentenced to a term of:

- Probation: 1 year
- Special Assessment: $100

OLD CROW was sentenced in connection with her guilty plea to theft.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In October or November of 2005, OLD CROW stole a box of checks from the Babb Post Office belonging to another individual. OLD CROW then wrote various checks between Browning and Hardin. The total amount of the checks written was $4,118.

Assistant U.S. Attorney Vince Carroll prosecuted the case for the United States.

The investigation was conducted by the Bureau of Indian Affairs in Browning.

PATRICIA BETTERMAN PAUL

PATRICIA BETTERMAN PAUL, a 50-year-old resident of Helena, was re-sentenced to a term of:

- Prison: 15 months
- Special Assessment: $100
- Restitution: $17,868 (this was paid in full in March of 2006 directly to Pondera County)
- Supervised Release: 2 years

PAUL was originally sentenced after having been found guilty of theft from a federally funded agency after a 3-day trial in May of 2006. She was re-sentenced after her

original sentence was appealed to the Ninth Circuit Court of Appeals. The sentence was reversed and remanded back to U.S. District Court for re-sentencing.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was conducted by the Inspector General's Office for the United States Department of the Interior.

JUDY LAHR RACINE

JUDY LAHR RACINE, a 54-year-old resident of Browning, was sentenced to a term of:

- Prison: 16 months
- Special Assessment: $200
- Restitution: $47,957.04
- Supervised Release: 3 years

RACINE was sentenced in connection with her guilty plea to theft from a local government receiving federal funding and theft from a health care facility.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

The Blackfeet Care Center is an agency of tribal government providing health care services to members of the Blackfeet Tribe and other qualifying patients on the Blackfeet Indian Reservation. The Blackfeet Care Center received $725,350 in Medicaid funds from January of 2007 to November of 2007.

During March of 2007 through October of 2007, RACINE was employed as the Business Office Director for the Blackfeet Care Center. As the Business Office Director, RACINE had total control over accounts receivable, accounts payable, and banking account information, which was utilized to track Blackfeet Care Center Medicaid and Non-Medicaid funds. In addition, RACINE reviewed and reconciled all Blackfeet Care Center bank accounts and provided a balance statement to the Blackfeet Care Center's Administrator. RACINE embezzled money from the Blackfeet Care Center in several different ways.

RACINE took cash "off the top" while depositing Medicaid checks into Blackfeet Care Center's banking account. When making deposits of Medicaid and other Blackfeet Care Center receipts, RACINE would get cash back instead of depositing the entire amount and then divert the cash to her own use and benefit.

RACINE wrote multiple Blackfeet Care Center checks to "cash" or to herself (usually in large, even amounts). Review of the bank transactions shows that RACINE used Blackfeet Care Center monies to pay her personal bills, to obtain goods and services

for her personal enrichment, and used checks to obtain cash.

RACINE also used a Blackfeet Care Center Visa/Check card to withdraw monies from ATM machines or pay for unauthorized personal items and vacations.

All of these transactions involved the abstraction of federal Medicaid funds, either by failing to deposit the total, or extracting money for personal use through the use of checks and the Visa card. To conceal her thefts, RACINE manipulated her monthly balance statements to Blackfeet Care Center's Administrator showing that Blackfeet Care Center's bank account was sound and intact.

Assistant U.S. Attorney Carl E. Rostad prosecuted the case for the United States.

The investigation was conducted by the Inspector General's Office for the U.S. Department of Health and Human Services.

DEAMARR FAYE DAWN RUTHERFORD

DEAMARR FAYE DAWN RUTHERFORD, a 43-year-old resident of Browning, was sentenced to a term of:

- Prison: 46 months
- Special Assessment: $100
- Supervised Release: 12 years

RUTHERFORD was sentenced in connection with her guilty plea to distribution of methamphetamine in a public housing facility.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On November 27, 2006, a cooperating witness of the Blackfeet Safe Trails Task Force (BSTTF) performed an undercover controlled substance purchase from RUTHERFORD, aka "Mouse," under the direction of BSTTF. At the time of this purchase, RUTHERFORD knew that the substance was methamphetamine. The exchange took place in Seville Housing, a public housing community on the Blackfeet Indian Reservation. The substance purchased weighed approximately 2 grams, and was tested by the Drug Enforcement Administration and found to be 67% pure methamphetamine.

On December 5, 2007, a cooperating witness of the BSTTF performed another undercover controlled substance purchase from RUTHERFORD under the direction of BSTTF. At the time of this purchase, RUTHERFORD knew that the substance was methamphetamine. The exchange again took place in the Seville Housing community on the Blackfeet Indian Reservation. The substance purchased weighed approximately

1.5 grams, was tested by the DEA and found to be 26% pure methamphetamine.

Assistant U.S. Attorney Vince Carroll prosecuted the case for the United States.

The investigation was conducted by Federal Bureau of Investigation in Browning.

JOSEPH JAMES UPHAM

JOSEPH JAMES UPHAM, a 43-year-old resident of Browning, was sentenced to a term of:

- Prison: 108 months
- Special Assessment: $100
- Supervised Release: 3 years

UPHAM was sentenced in connection with his guilty plea to sexual abuse.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 8, 2006, in Browning, UPHAM knowingly engaged in a sexual act with M.A.K., a person incapable of appraising the nature of the conduct.

Assistant U.S. Attorney Vince Carroll prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation in Browning and the Bureau of Indian Affairs.

ROBERT LEE WELCH

ROBERT LEE WELCH, a 26-year-old resident of Browning, was sentenced to a term of:

- Prison: 72 months
- Special Assessment: $100
- Restitution: $58,901.89
- Supervised Release: 3 years

WELCH was sentenced in connection with his guilty plea to assault resulting in serious bodily injury.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On the morning of October 19, 2006, WELCH was driving a Chevy Tahoe SUV on

Highway 2 near Browning. WELCH, and his female passenger, had been consuming vodka together that morning. As WELCH approached the intersection of Highway 2 and BIA Route 1, he crossed over the center-line and veered into the opposite lane and oncoming traffic. WELCH'S SUV struck a car which was heading in the opposite direction on Highway 2 going from East Glacier to Cut Bank. The area where the accident occurred is entirely within the exterior boundaries of the Blackfeet Indian Reservation.

Law enforcement officers from the Montana Highway Patrol, Glacier County Sheriff's Office, the Bureau of Indian Affairs and emergency and medical personnel responded to the scene of the accident. Officers noticed a strong odor of alcoholic beverage on WELCH'S breath and that his speech was "extremely slurred." WELCH exhibited physical indications of intoxication during administration of the Horizontal Gaze Nystagmus sobriety test. Toxicology results from two blood draws indicated that WELCH'S blood alcohol concentration (BAC) was at least .20 grams of ethanol per 100 milliliters of blood, or higher.

WELCH later admitted to that he was driving intoxicated at the time of the accident. WELCH said that he consumed a pint of vodka the night before the accident and that he continued drinking into the morning. WELCH also stated that he has a memory blackout as to the accident itself, but he remembered driving drunk immediately prior to the accident. The two occupants of the vehicle each suffered serious bodily injuries as a result of the collision. The female occupant received 16 broken bones from the accident, including a broken pelvis. She was hospitalized for approximately six weeks. She suffered extreme physical pain as a result of her injuries. The male occupant received eight broken ribs, two breaks in his nose, a broken sternum, a break in his left leg, a broken arm, and a shattered femur in his right leg. Medical personnel classified his injuries as serious bodily injury.

Assistant U.S. Attorney Vince Carroll prosecuted the case for the United States.

The investigation was a cooperative effort between the Montana Highway Patrol, Glacier County Sheriff's Office, the Bureau of Indian Affairs, and the Federal Bureau of Investigation in Browning.

INDIAN COUNTRY - CROW RESERVATION

SKYLER ANDERSON

SKYLER ANDERSON, a 23-year-old resident of Dunmore, was sentenced to a term of:

- Prison: 40 months
- Special Assessment: $100
- Supervised Release: 3 years

ANDERSON was sentenced in connection with his guilty plea to assault with a dangerous weapon.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

During the early morning hours of September 8, 2007, ANDERSON stabbed a male individual numerous times with a knife. The assault took place at ANDERSON'S home in Dunmore, within the boundaries of the Crow Indian Reservation.

The stabbing took place after a night of drinking at a bar in Hardin. During the early morning hours of September 8, 2007, ANDERSON, the victim, and others went to ANDERSON'S home to drink more. Shortly after they arrived at ANDERSON'S home, a fight broke out between ANDERSON and one other individual. After the fight, everyone left ANDERSON'S home except for ANDERSON, the victim, and one other individual. ANDERSON was mad at the victim because he did not help him in the fight. The victim and the other individual fell asleep in the living room area of ANDERSON'S home.

A short time later, the victim woke up disoriented. He walked down a hallway and knocked on a door. ANDERSON confronted him with a large knife and began stabbing him in the face, arms, and wrist. The victim tried to leave the house and was stabbed multiple times as he was leaving.

The victim walked to the home of a neighbor. The neighbor called the police. The victim was transported to the hospital in Crow Agency where he was treated for multiple wounds and lacerations.

A search was conducted at ANDERSON'S home. Two knives were seized that fit the description of the knife used during the assault.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Bureau of Indian Affairs.

THEO BUFFALO BULLTAIL

THEO BUFFALO BULLTAIL, a 24-year-old resident of Crow Agency, was sentenced to a term of:

- Prison: 41 months
- Special Assessment: $100
- Supervised Release: 3 years

BULLTAIL was sentenced in connection with his guilty plea to assault with a dangerous weapon.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In July of 2006, the 56-year old victim was living in a residence owned by BULLTAIL'S grandmother located in Crow Agency. BULLTAIL was 23-years-old at the time. The victim was the adopted brother of one of BULLTAIL'S relatives, and had been living at the residence for approximately 6 months with other members of BULLTAIL'S family.

At approximately 12:30 a.m. on July 12, 2006, the victim was awakened by someone banging on the front door. The victim went to the door and asked who was at the door. BULLTAIL yelled at the victim to open the door and swore at the victim. The victim told BULLTAIL that his grandmother did not want anyone in the house. BULLTAIL replied that if the victim did not open the door, he was going to come in and "kick his [expletive]." The victim refused to open the door. BULLTAIL then began banging on a bedroom window. The victim saw BULLTAIL and another individual at the window. The victim again told them that BULLTAIL'S grandmother did not want them in the house. BULLTAIL then kicked in the back door and came running at the victim with a mop in his hand. The victim was able to fend him off and BULLTAIL dropped the mop, but BULLTAIL then grabbed the victim and they fought until the victim slipped and fell to the ground. After the victim slipped, BULLTAIL began to beat him with what the victim believed to be an axe handle in the head. The victim asked him to stop when the head wound(s) started to bleed heavily. BULLTAIL continued to beat the victim, however, on the head, arms, and back. At some point, BULLTAIL dropped the stick and slapped the victim in the face. The victim again asked him to stop and told BULLTAIL that he'd had enough. BULLTAIL slapped him again and then told him to clean himself up.

When the victim went into the bathroom to wash off the blood, BULLTAIL told him to go to his room, keep the light on so that he could watch him, and to stay in his room. The victim told BULLTAIL that he was bleeding heavily and needed to see a doctor, to which BULLTAIL replied that he'd have to wait.

The next morning, at approximately 9:45 a.m., the other individual who was with BULLTAIL at the house the night before gave the victim a ride to the emergency room at the Crow hospital. The victim waited until then because the telephone was broken at the house and he could not call for help.

BULLTAIL was arrested on tribal charges at approximately 6:15 p.m. on that same day, July 12, 2006, and booked into tribal jail. Neither the arresting officer nor the jailer observed any injuries or blood on the BULLTAIL at that time. He did not receive any medical care.

On December 19, 2006, while being transported to Billings for a court appearance on

this indictment, BULLTAIL spontaneously stated to an FBI agent that he had wanted to get into the house to get some of his clothes, and his grandmother had asked the victim to keep him out of the house when he was drinking.

The victim suffered lacerations to his head, and bruising on his back and arms as a result of the assault.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

STEPHEN PAT RYAN CAPLETT

STEPHEN PAT RYAN CAPLETT, a 22-year-old resident of Crow Agency, was sentenced to a term of:

- Prison: 36 months
- Special Assessment: $100
- Supervised Release: 3 years

CAPLETT was sentenced in connection with his guilty plea to assault on a federal officer.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On the evening of October 25, 2007, CAPLETT was an inmate at the Crow Detention Center. He informed an officer that the women's area of the detention center needed toilet paper. This was a ruse to get the officer to open the secure door. CAPLETT was standing near the door when the officer opened the secure door. As the officer attempted to close and lock the door, CAPLETT pushed him, which caused the officer to fall and strike his shoulder on the floor. CAPLETT and another inmate escaped through the open door.

The officer was transported by ambulance to the Crow Indian Health Service Clinic where he was examined and treated for pain to his right shoulder.

On October 30, 2007, CAPLETT was interviewed and admitted that he had planned his escape from the Crow Detention Center. He further admitted that it was his intent to lure the officer to the secure door and to have him open the door. CAPLETT also admitted that he grabbed the door and pushed the officer out of the way and that he heard the officer hit the floor or a wall "pretty hard."

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Bureau of Indian Affairs.

WAYNE DEPUTEE

WAYNE DEPUTEE, a 52-year-old resident of Lodge Grass, appeared for sentencing. DEPUTEE was sentenced to a term of:

- Prison: 360 months
- Special Assessment: $100
- Supervised Release: life

DEPUTEE was sentenced after having been found guilty during a 2-day trial of aggravated sexual abuse.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Bureau of Indian Affairs.

ROBERT DALE HOWE

ROBERT DALE HOWE, a 39-year-old resident of Crow Agency, was sentenced to a term of:

- Prison: 10 months and 18 days (time served)
- Special Assessment: $100
- Restitution: $1,025.44
- Supervised Release: 3 years, with 3 months of community confinement

HOWE was sentenced in connection with his guilty plea to burglary.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In the early morning hours of February 4, 2006, HOWE broke into the building that houses Big Horn Electric Cooperative, Inc. HOWE stole a white Chevrolet truck which contained equipment belonging to Big Horn Electric and personal property belonging to an employee of Big Horn Electric. The burglary was reported to law enforcement at 7:37 a.m.

Law enforcement officers responded to Big Horn Electric and conducted an on-site investigation. They determined that the point of entry was a damaged window on the north side of the building. The officers also observed shoe prints and tire tracks near

the building. However, their best lead in solving the case came from information provided by local ranchers, who reported that they saw a white truck stuck in the snow on Indian Creek Road in the Wolf Mountains. This report was made at approximately 10:00 a.m. on February 4, 2006. The ranchers reported that they looked at the truck through binoculars and saw a person in the truck.

Three officers responded to the area where the ranchers reported having seen the white truck. This area is remote and was snow packed in 2006. Before the officers found the truck, however, they found HOWE. He was walking on Sioux Pass Road approximately 12 miles from Interstate 90. A Bureau of Indian Affairs officer asked HOWE what he was doing, to which HOWE replied that he was just walking around the hills. Additionally, the officer immediately noticed that HOWE had what appeared to him to be a rangefinder around his neck and other items that created a large bulge underneath his jacket. The officer told HOWE about the information received from the ranchers and advised him that they were going to take him to the police station for questioning. The officer then advised HOWE that he was going to handcuff him and then search him for weapons for his safety as well as the safety of the officers. While searching HOWE, the officer found a multitude of items, including a bottle of acetaminophen with codeine prescribed to an employee of the Big Horn Electric Cooperative, Inc. HOWE was placed under arrest.

The officers then followed HOWE'S footprints in the snow to the abandoned truck. The truck was the truck stolen from the Big Horn Electric Cooperative, Inc.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was conducted by the Bureau of Indian Affairs.

REYNARD EDWARD KILLSNIGHT

REYNARD EDWARD KILLSNIGHT, a 43-year-old resident of Lame Deer, was sentenced to a term of:

- Prison: 235 months
- Special Assessment: $100
- Supervised Release: 5 years

KILLSNIGHT was sentenced in connection with his guilty plea to aggravated sexual abuse.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On July 25, 2007, law enforcement received a report that a juvenile female, age 14, had been sexually assaulted by KILLSNIGHT. Although the juvenile is 14 years old, she

has the mental capacity of approximately a 4 to 6 year old girl. The juvenile was taken to the emergency room where she was examined by a doctor and a rape kit was performed. During this examination, the juvenile made statements to the doctor.

She reported that the night before, July 24, 2007, she was home alone at her residence in Lame Deer. KILLSNIGHT, who is considered an adopted brother by the juvenile's mother, stopped by to visit, and asked to use the bathroom. After using the bathroom, he asked the juvenile to hug him, and then kept asking her to hug him. He then asked her if she knew how to do sex. When the juvenile relayed this statement to the doctor, she did not say the word, but spelled it out for the doctor – "s-e-x." He then asked her if she wanted to have sex, to which she replied "no." He then took her into the bedroom, took off her clothes, and put his "thing" in her vagina and in her anus. When the doctor asked her if it hurt, she replied yes.

The examination revealed petechiae, which is basically noticeable redness in the vaginal area. Vaginal swabs were taken during the examination. These swabs, along with a blood sample from KILLSNIGHT, were sent to the FBI laboratory for DNA analysis. DNA from KILLSNIGHT was found on one of the vaginal swabs.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Bureau of Indian Affairs.

JOSEPH HENRY KINDNESS

JOSEPH HENRY KINDNESS, a 22-year-old resident of Lodge Grass, was sentenced to a term of:

- Prison: 33 months
- Special Assessment: $100
- Supervised Release: 5 years

KINDNESS was sentenced in connection with his guilty plea to sexual abuse.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On September 24, 2004, law enforcement received a report that a juvenile female, age 15, had been sexually assaulted by KINDNESS in Lodge Grass. It was alleged that KINDNESS had sexual intercourse with the victim while she was passed out from consuming too much alcohol. The victim was unable to provide any information due to her level of intoxication. However, an examination of the victim resulted in medical findings indicating that sexual intercourse had occurred.

During the course of the investigation, investigators learned that three young women saw KINDNESS having intercourse with the victim while she was passed out. The women saw this occur in the back seat of a car. One of the women told KINDNESS to stop, which he refused to do. They then pulled KINDNESS off of the victim.

The owner of the car was interviewed and told investigators that she, the victim, KINDNESS, and others had driven to a bar in Parkman, Wyoming. While in Parkman, they purchased a bottle of whiskey and drank the whiskey on the ride back from Parkman to Lame Deer. The victim became very intoxicated and could not walk or sit up. The driver stated that she and the others drove to the Lodge Grass homecoming football game. When they arrived at the game, the victim was passed out in the back seat. KINDNESS was in the back seat also. The owner and the other occupants of the car left the victim and KINDNESS in the car. A short time later, the owner asked some friends to go check on the victim in the car. They did so – they were the three women who saw KINDNESS having intercourse with the victim in the back seat of the car while she was passed out.

KINDNESS was interviewed. He admitted that he had intercourse with the victim when she was very intoxicated and unable to give consent.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

ELIJAH WILLIAM LAFORGE and CALVIN MEDICINE HORSE
(LAFORGE & MEDICINE HORSE)

ELIJAH WILLIAM LAFORGE, a 21-year-old resident of Dunmore, and CALVIN MEDICINE HORSE, a 19-year-old resident of Hardin, appeared for sentencing.

LAFORGE and MEDICINE HORSE were each sentenced to a term of:

- Prison: 30 months
- Special Assessment: $100
- Supervised Release: 3 years

They were sentenced in connection with their guilty pleas to assault with a dangerous weapon.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

During the early morning hours of April 18, 2008, the victim, D.O.C., and several of his friends went to the home of MEDICINE HORSE, located south of Hardin. Upon their arrival, MEDICINE HORSE came outside and asked them to leave and subsequently

called the police. When officers arrived, D.O.C. and the others ran into a field located near MEDICINE HORSE'S residence. Once the officers departed, D.O.C. and the others walked back towards the residence and were met by MEDICINE HORSE, LAFORGE, and others who had been in the residence. MEDICINE HORSE and LAFORGE confronted D.O.C., asking him why he was "acting tough." D.O.C. knew that at least one of the men, and possibly others, wanted to fight with him, so he turned and started walking away. As D.O.C. was walking away, someone struck him in the back of the head with an object. D.O.C. started running and jumped a nearby fence into a field. The men, including MEDICINE HORSE and LAFORGE, pursued D.O.C. until they were able to knock him to the ground. While D.O.C. laid in the fetal position asking MEDICINE HORSE, LAFORGE, and the others to stop, MEDICINE HORSE kicked and struck the victim with a white metal bar numerous times in the head and body and LAFORGE stabbed D.O.C. and kicked him. D.O.C. was also hit with other weapons – a wooden stake and two knives. D.O.C. was struck and stabbed repeatedly. MEDICINE HORSE stated he was "teaching him a lesson."

During the investigation, MEDICINE HORSE initially gave a statement to investigators lying about what took place. A second interview was conducted in which MEDICINE HORSE admitted to striking D.O.C. with a metal bar multiple times.

When interviewed, LAFORGE admitted that he had stabbed and kicked D.O.C. several times.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Bureau of Indian Affairs.

TRAVIS LEE MARTIN

TRAVIS LEE MARTIN, a 20-year-old resident of Hardin, was sentenced to a term of:

- Prison: 36 months
- Special Assessment: $200
- Supervised Release: 3 years

MARTIN was sentenced in connection with his guilty plea to two counts of involuntary manslaughter.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On March 8, 2006, at approximately 5:00 p.m., a 1998 Dodge pickup truck, driven by MARTIN, crashed on Pryor Road, one mile west of U.S. Highway 87, within the boundaries of the Crow Indian Reservation.

In addition to MARTIN, there were six passengers in the truck. Two of the passengers were ejected and died as a result of the accident. The investigation, which was conducted by the Montana Highway Patrol, federal law enforcement, and tribal law enforcement, included an accident reconstruction, numerous photographs and video tape, evidence collection, and witness interviews of both surviving passengers and bystanders. The investigation led investigators to conclude that speed and alcohol were the causes of the crash.

Specifically, a driver that MARTIN passed just prior to the crash, and surviving passengers in the truck, reported the speed of MARTIN'S truck to be at least 80 miles per hour at the time of the crash. One surviving passenger estimated the speed to be 90-100 miles per hour before the crash. One passenger reported that they were running out of gas and speeding to a gas station. Another passenger reported that there was an argument, right before the crash, between one of the decedents and MARTIN about driving too fast.

Additionally, there were numerous alcohol containers throughout the truck and around the truck after the crash that were seized by law enforcement. One of the surviving passengers confirmed that MARTIN had been drinking. A blood sample taken from MARTIN two hours after the crash determined his blood alcohol content to be .11.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Montana Highway Patrol, the Crow Tribal Law Enforcement, and the Federal Bureau of Investigation.

FRANKLIN PLENTY HOOPS

FRANKLIN PLENTY HOOPS was sentenced to a term of:

- Prison: 48 months
- Special Assessment: $100
- Supervised Release: 5 years

PLENTY HOOPS was sentenced after having been found guilty of abusive sexual contact at trial.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

DANA REDDING

DANA REDDING, a 42-year-old resident of Black Lodge, was sentenced to a term of:

- Prison: 96 months
- Special Assessment: $100

- Supervised Release: 3 years

REDDING was sentenced in connection with his guilty plea to being a felon-in-possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On October 29, 2006, REDDING was convicted of a felony offense in Colorado that prohibited him from possessing a firearm.

On October 29, 2006, tribal police responded to a report that a truck was stuck in a ditch near Black Lodge on the Crow Indian Reservation. When they arrived at the location, they observed a white pickup high-centered in a ditch by a fence line. The police learned that REDDING had walked away from the truck to a nearby residence.

When police arrived at the residence, REDDING was standing outside of the residence and was very intoxicated. A friend of REDDING'S advised the officers that he would assist REDDING in retrieving his truck and he assured the officers that he would not allow REDDING to drive.

Approximately one hour later, the tribal police received a call that REDDING had a gun. The police responded to the Black Lodge area again, and saw REDDING standing outside with a rifle in his hands. REDDING'S back was to the police officers and he was yelling at some people at a nearby residence. He then put the rifle down at his feet. Officers retrieved the rifle and determined that the rifle was loaded.

REDDING told the officers that someone had tried to break out the windows of his truck, which was still stuck in the ditch, with a bat. The officers talked to the individuals who had the bat. They stated that REDDING came to their residence and tried to start a fight. They chased him off, but he came back with a gun and threatened to shoot one of the individuals, who then grabbed a bat for protection.

On October 30, 2006, REDDING was interviewed and admitted that he was in possession of his son's .22 caliber rifle the day before. He stated that he was feuding with his neighbors and that they had threatened to break the windows of his truck which was stuck in the ditch. His intent was to fire a warning shot to scare them off.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Bureau of Indian Affairs and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

MARLON DEAN RED STAR, JR.

MARLON DEAN RED STAR, JR., a 26-year-old resident of Lodge Grass, was sentenced to a term of:

- Prison: 188 months
- Special Assessment: $200
- Supervised Release: 5 years

RED STAR was sentenced after having been found guilty during a 1-day trial of aggravated sexual abuse and sexual abuse of a minor.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

EUGENE RAYMOND RISING SUN

EUGENE RAYMOND RISING SUN, age 25, was resentenced to a term of:

- Prison: life, consecutive to another life sentence
- Special Assessment: $200
- Restitution: $5,173

RISING SUN was re-sentenced in connection with his guilty plea to two counts of second degree murder after his original sentence was appealed to the Ninth Circuit Court of Appeals. The sentence was reversed and remanded back to U.S. District Court for re-sentencing.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation, the Bureau of Indian Affairs, the Crow Tribal Police and the Big Horn County Sheriff's Office.

ROBERT LEO SHANE

ROBERT LEO SHANE, a 44-year-old resident of Hardin, was sentenced to a term of:

- Prison: 1 day
- Home Arrest: 4 months
- Special Assessment: $100
- Restitution: $6,400
- Supervised Release: 5 years

SHANE was sentenced in connection with his guilty plea to arson.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

During the afternoon of July 22, 2006, SHANE and his wife were swimming with some relatives and drinking alcohol in the Pryor area. They then returned to their trailer home located on Pryor Road. At some point during the evening, SHANE and his wife began arguing. It was during the argument that SHANE told his wife to get her things out of the trailer house because he was going to burn it down. The wife and other relatives saw SHANE light some papers on fire prior to leaving the residence. That fire was put out, but as the wife and other relatives were leaving the residence, one of the relatives saw SHANE light another fire. SHANE then left the residence in a separate vehicle from his wife. One of SHANE'S neighbors reported overhearing SHANE and his wife fighting and then saw smoke coming from the windows of the trailer. The neighbor also reported seeing two vehicles leave the trailer.

The trailer home was burned to the ground. An agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives responded to the scene to determine the cause and origin of the fire. Due to the complete destruction of the trailer home, the scene investigation was limited to photographing the debris and attempting to identify where furnishings were located to derive a floor plan of the trailer home. The fire originated in the living room of the mobile trailer home and was caused by setting fire to available combustible material.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Bureau of Indian Affairs.

VANESSA ANTOINETTE STEWART

VANESSA ANTOINETTE STEWART, a 33-year-old resident of Crow Agency, was sentenced to a term of:

- Prison: 24 months
- Special Assessment: $100
- Supervised Release: 3 years

STEWART was sentenced in connection with her guilty plea to making false statements to law enforcement.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On February 20, 2008, STEWART filed a police report with the Crow Agency Police Department stating that F.L. had unsuccessfully attempted to rape her on February 19, 2008. An officer documented the information in a police report but did not further investigate due to the circumstances.

After the incident, STEWART was confronted by her boyfriend about a hickey on her neck. STEWART stated that F.L. attempted unsuccessfully to rape her. She later told her mother that in fact she had been raped, and her mother told her to report it to the police.

On February 26, 2008, STEWART requested to speak to an officer and informed him that she had in fact been raped on February 19, 2008 by F.L.

On February 27, 2008, STEWART was interviewed and again stated that she had been raped by F.L., but was not truthful initially because she was afraid of how her boyfriend would react. She also provided a handwritten statement at that time stating such.

A subsequent interview was conducted on March 4, 2008, by special agents with the BIA and FBI, wherein STEWART stated she had not had any contact or even seen F.L. since the alleged incident.

After agents interviewed F.L., it was learned that STEWART and F.L. had met secretly on four separate occasions to have sex. She had also made three telephone calls to F.L. on March 7, 2008.

Finally, on March 12, 2008, STEWART admitted that she had consensual sex with F.L. and knowingly lied to the federal agents because she was afraid of her boyfriend.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Bureau of Indian Affairs.

INDIAN COUNTRY - FORT BELKNAP RESERVATION

BRIAN DEAN BELL

BRIAN DEAN BELL, a 25-year-old resident of Lodgepole, was sentenced to a term of:

- Prison: 37 months
- Special Assessment: $100
- Supervised Release: 3 years

BELL was sentenced in connection with his guilty plea to assault resulting in serious

bodily injury.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On May 19, 2007, the victim was spending the night at a friend's residence.

At various points during the evening of May 19th and the morning of May 20, 2007, BELL went to the residence. Around 1:00 a.m on May 20, 2007, the victim asked BELL, who was intoxicated, to leave the residence.

As BELL left the residence, he kicked a dog. The victim came to the defense of the dog and tried to escort BELL from the residence. A scuffle ensued, during which the victim fell or was knocked to the ground. BELL then beat and kicked the victim.

As a result of the assault, the victim suffered several facial injuries, including an upper lip laceration, a fractured maxillary bone, and retinal tear.

The victim subsequently received medical treatment from an ophthalmologist and a medical doctor, both of whom were qualified to treat facial injuries. Both doctors concluded that the victim's facial injuries constituted serious bodily injury, as that term is defined by federal law.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

ARVILLA CATHERINE CRASCO

ARVILLA CATHERINE CRASCO, a 58-year-old resident of Harlem, was sentenced on the charge of theft from an Indian tribal organization.

CRASCO was sentenced to a term of:

- Probation: 1 year
- Restitution: $1,050

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In February of 2008, CRASCO began submitting time sheets to the Fort Belknap Vocational Rehabilitation Program indicating that she had worked 20 hours per week at the Fort Belknap Indian Health Services (IHS). The program is funded by a federal grant through the Department of Education Rehabilitation Services Administration. Clients who qualify for program services are placed with various employers and paid by

the Fort Belknap Indian Community. CRASCO was originally placed with the Tribal Housing Department but left that placement at some point and applied to work at IHS.

In May of 2008, when a vocation rehabilitation counselor for the program called Fort Belknap IHS about placing another client, the counselor learned that CRASCO had never started working for IHS. The counselor contacted tribal police who referred the matter to the FBI. During their investigation, the FBI obtained four time sheets allegedly signed by the Fort Belknap IHS Administrative Officer; five cancelled checks, each in the amount of $206, drawn on the Fort Belknap Indian Community account, and made payable to CRASCO; and five requisition forms from the Voc Rehab program requesting that a check for $206 be issued to CRASCO.

The IHS Administrative Officer would have testified that she did not sign the time sheets submitted by CRASCO.

In a handwritten statement, CRASCO admitted cashing the five checks referenced above, forging the four time sheets referenced above, and filling out one additional time sheet, which the FBI was unable to locate.

Assistant U.S. Attorney Rebekah J. French prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Fort Belknap Tribal Law Enforcement.

ROMAN WAYNE ENCINAS

ROMAN WAYNE ENCINAS, a 29-year-old resident of Washington, was sentenced to a term of:

- Prison: 144 months
- Special Assessment: $100
- Supervised Release: 5 years

ENCINAS was sentenced in connection with his guilty plea to conspiracy to distribute methamphetamine.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On May 11, 2005, a probation search was conducted by federal, tribal, and state officers of an individual's residence on the Fort Belknap Indian Reservation. Approximately 400 grams of methamphetamine (234 grams of actual methamphetamine) and some marijuana were seized from the residence. The individual became a cooperating witness and agreed to assist law enforcement in its investigation of the individual's supplier of methamphetamine. ENCINAS was working

for another individual in Washington, who was the cooperating witness's supplier of methamphetamine. ENCINAS and the cooperating witness had personally met on several prior occasions so that the cooperating witness could purchase methamphetamine and marijuana. In fact, the methamphetamine found at the cooperating witness's house, on May 11, 2005, was what remained of methamphetamine that ENCINAS had delivered to the cooperating witness in March of 2005.

The cooperating witness met personally with ENCINAS, who he knew by an alias, in December of 2004 or January of 2005 in a parking lot in Spokane, Washington. The cooperating witness gave ENCINAS money for methamphetamine previously supplied to him, and he also received 5 ounces of methamphetamine to sell and some marijuana. He then met with ENCINAS in Missoula approximately 6 to 8 weeks later and received approximately 10-12 ounces of methamphetamine and more marijuana. He also paid him $13,500 for the methamphetamine that he had received in December of 2004 or January of 2005. Finally, he met with ENCINAS again in March of 2005 in Missoula. On this trip, the cooperating witness purchased approximately two pounds of methamphetamine from ENCINAS. He also paid him for the methamphetamine received before – approximately $17,000 - $18,000. He did not meet with ENCINAS again because of the probation search that was conducted on May 11, 2005. He owed ENCINAS $32,000 for the two pounds of methamphetamine.

To corroborate the information provided by the cooperating witness, law enforcement obtained ENCINAS'S cellular telephone records during the investigation of this case. Those records show numerous calls to the cooperating witness starting in 2004 and ending with the cooperating witness's arrest after the probation search. The witness made recorded phone calls to ENCINAS that were monitored by law enforcement. Additionally, the cooperating witness assisted an undercover officer in a ruse – the officer posed as the cooperating witness's cousin and made arrangements to meet with ENCINAS in Missoula. Several recorded phone calls were made. Although the meeting in Missoula fell through, all of these recorded phone calls are reflected on ENCINAS'S cellular telephone records.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the High Intensity Drug Trafficking Area (HIDTA) Task Force, the Federal Bureau of Investigation, the Fort Belknap Tribal Law Enforcement and the Bureau of Indian Affairs.

GARY ALLEN FALCON

GARY ALLEN FALCON, a 50-year-old resident of Fort Belknap, was sentenced to a term of:

- Prison: 360 months

- Special Assessment: $200
- Supervised Release: 5 years

FALCON was sentenced after having been found guilty during a 1½-day trial of aggravated sexual abuse and incest.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation in Havre and the Fort Belknap Tribal Law Enforcement.

KENNETH HELGESON

KENNETH HELGESON, a 61-year-old resident of Dodson, was sentenced to a term of:

- Prison: 57 months
- Special Assessment: $100
- Supervised Release: 3 years

HELGESON was sentenced after having been found guilty during a 2-day trial of involuntary manslaughter.

Assistant U.S. Attorney Vince Carroll prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

DANETTE DEE LONG FOX

DANETTE DEE LONG FOX, a 37-year-old resident of Harlem, was sentenced to a term of:

- Prison: 48 months
- Special Assessment: $100
- Supervised Release: 3 years

LONG FOX was sentenced in connection with her guilty plea to assault with a dangerous weapon.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

LONG FOX and the victim had been romantically involved since late July of 2007. Early on the morning of August 26, 2007, they were at a house party held on the Fort Belknap Reservation.

During the course of the party, LONG FOX was physically abusive to the victim by slapping and punching him. The victim did not respond, instead walking away from her.

Eventually, LONG FOX followed the victim into the kitchen where they were alone. She then walked out of the kitchen and told a witness, "I stabbed [the victim]."

The victim was found with a substantial knife wound to the chest. He was taken to a local hospital. The doctor who treated him confirmed that he had suffered serious bodily injury as a result of an assault with a sharp cutting object, such as a knife.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation in Havre.

WYLYNN JEAN SHAMBO

WYLYNN JEAN SHAMBO, a 29-year-old resident of Hays, was sentenced to a term of:

- Prison: 38 months
- Special Assessment: $100
- Supervised Release: 4 years

SHAMBO was sentenced in connection with her guilty plea to attempted possession of methamphetamine with the intent to distribute.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On October 24, 2005, a package containing 27 grams of methamphetamine was erroneously sent to the home of John Doe, who lives near Hays. The package was intended for delivery to an individual named only as "Nevada." John Doe opened the package, saw that it contained contraband, and gave it the Fort Belknap Police Department.

On October 25 and 26, 2005, SHAMBO made three visits to John Doe's home and tried to obtain the package. The Tri-Agency Drug Task Force was advised of SHAMBO'S efforts.

A task force officer later interviewed SHAMBO. She stated that she was contacted by C.S. and R.S., the intended recipients of the package. SHAMBO stated that she was told of the package's illegal contents. She was further advised that if she obtained the package and returned it to C.S. and R.S., she would be paid $50. SHAMBO also admitted that when she attempted to obtain the package from John Doe, she ultimately hoped to return the package to C.S. or R.S. in exchange for the $50 promised to her.

A Drug Enforcement Administration chemist analyzed the methamphetamine delivered to John Doe. The chemist found the substance contained more than five grams of actual or pure methamphetamine.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was a cooperative effort between the Fort Belknap Police Department, the Tri-Agency Drug Task Force, and the Drug Enforcement Administration.

INDIAN COUNTRY - FORT PECK RESERVATION

JITTAWEE CURLEY BEAR CUB

JITTAWEE CURLEY BEAR CUB, a 21-year-old resident of Poplar, was sentenced to a term of:

- Prison: 188 months
- Special Assessment: $100
- Restitution: $7,952
- Supervised Release: 5 years

BEAR CUB was sentenced in connection with his guilty plea to second degree murder.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On December 12, 2003, Richard Red Dog vanished from the Fort Peck Indian Reservation and no one has heard from him or seen him since that date.

In February 2004, BEAR CUB was incarcerated in the Cascade County Detention Center on an unrelated criminal charge. BEAR CUB befriended another inmate. While incarcerated, he explained to that inmate, in detail, how he, Jordan Martell, and “J.D.”, (a juvenile), met Red Dog on the night of December 12, 2003, in Poplar. BEAR CUB stated they drove Red Dog around the Poplar area and that a fight broke out between BEAR CUB and Red Dog. BEAR CUB stated that he, Martell, and “J.D.” acted in concert with one another and ultimately beat, kicked, and stabbed Red Dog to death. BEAR CUB stated that Red Dog’s body was thrown into the Missouri River.

In May of 2004, BEAR CUB was interviewed by an FBI agent. BEAR CUB admitted that, on the night in question, he, “J.D.”, and Martell beat Red Dog with various implements. BEAR CUB admitted that he stabbed Red Dog with a knife. BEAR CUB admitted that Red Dog’s body was thrown in the Missouri River.

Martell was found guilty of first degree murder after a 2-day trial and sentenced to life in prison.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States. The investigation was conducted by the Federal Bureau of Investigation in Glasgow.

DANNY THOMAS FOX

DANNY THOMAS FOX, a 20-year-old resident of Poplar, was sentenced to a term of:

- Prison: 45 months
- Special Assessment: $100
- Restitution: $56,887
- Supervised Release: 5 years

FOX was sentenced in connection with his guilty plea to arson.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On December 28, 2006, shortly before midnight, law enforcement officers responded to the scene of a house fire in Poplar. Police officers observed fresh footprints in the snow leading from the yard of the burning house. The officers followed the footprints which lead to the doorstep of FOX'S home. Officers knocked on FOX'S door and it was answered by FOX'S mother. She told the officers that FOX had recently returned home and that he had made the footprints that were on the doorstep. FOX'S mother then gave the officers consent to enter the home. Inside, they found FOX who was then arrested on suspicion of arson.

On December 29, 2006, FOX was interviewed. He stated that he and his cousin, a juvenile male, were drinking alcohol on the night of the fire. FOX stated that he and the juvenile male were aware that the homeowners were out of town and that their home was unattended. FOX also advised that he knew that the wife was a teacher at the Poplar public school.

FOX stated that he and the juvenile male walked over to the residence and entered without permission. Once inside, they began looking for items to steal. FOX stated that he and the juvenile male stole items from the home, including Halloween candy, papers and pens.

FOX and the juvenile male then left the residence home for a while, but returned later that night. When they returned, FOX and the juvenile male again entered the home without permission. Once inside, FOX lit a candle because he didn't want to turn on the interior lights. After looking around for a short time, FOX began lighting items on fire inside the home. FOX told investigators that he lit books and paper on fire in the living

room area of the home. FOX said that he ran from the house once the flames were approximately a foot tall. FOX admitted that he never had permission to enter the home and said “I guess it was wrong” or words to that effect.

Assistant U.S. Attorney Richard A. Hosley prosecuted the case for the United States.

The investigation was a cooperative effort between the Fort Peck Tribes Criminal Investigation Division and the Fort Peck Department of Law and Justice.

JOHN FITZGERALD BIG LEGGINS, JR.

JOHN FITZGERALD BIG LEGGINS, JR., a 19-year-old resident of Frazer, was sentenced to a term of:

- Prison: 405 months, consecutive to another sentence
- Special Assessment: $100
- Supervised Release: life

BIG LEGGINS was sentenced in connection with his guilty plea to aggravated sexual abuse.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On the evening of July 1, 2006, the victim, an 18-year-old female, was at a playground in Frazer with three other juvenile females. While they were at the playground, the girls were approached by BIG LEGGINS, who appeared intoxicated.

After talking with the girls for a while, BIG LEGGINS asked the victim to walk with him so he could show “something” to her. BIG LEGGINS picked up the victim and carried her over his shoulder. The victim told BIG LEGGINS to put her down, but he refused. BIG LEGGINS carried the victim behind a home located near the playground.

Once they were behind the house, BIG LEGGINS put the victim on the ground and got on top of her. BIG LEGGINS pulled down his pants and held down the victim as he removed her pants. The victim attempted to resist, but she was intoxicated and BIG LEGGINS was able to restrain her. BIG LEGGINS was able to partially remove the victim’s pants and then proceeded to rape her. The victim screamed for help but BIG LEGGINS covered her mouth and told her to shut up.

The other three juvenile females ran behind the house and witnessed BIG LEGGINS sexually abusing the victim The girls tried to assist the victim and told BIG LEGGINS to stop. BIG LEGGINS stood up and pulled up his pants. He told the girls that they better not say anything and that “he would bet 100 dollars that he will get away with it” or words to that effect. BIG LEGGINS left the immediate area and the juvenile girls took

the victim to their home and contacted police.

A Fort Peck Tribes Department of Law and Justice Police officer was dispatched to Frazer upon receiving a report of a sexual assault. The reporting party told the dispatcher that BIG LEGGINS had raped the victim. When the officer arrived, she observed the victim and two of the other juvenile females standing in the street. They were waving their arms and gesturing towards the officer. The officer pulled her car over and was approached by one of the juvenile females who said, "JOHN BIG LEGGINS raped [the victim], we pushed him off her." The victim was crying hysterically. She told the officer that BIG LEGGINS had raped her.

The officer transported the victim to the hospital for a medical examination. At the hospital, a doctor conducted a sexual assault examination on the victim. When asked what had happened, the victim stated that BIG LEGGINS had raped her. The doctor noted that the victim had bruises and abrasions on her face and swelling under her eye. The victim also had redness and linear marks on the left side of her back which indicated that she may have been dragged or pushed onto the ground.

After taking the victim to the hospital, the officer returned to Frazer and examined the scene of the assault. The officer observed that the grass was pushed down flat in the area and there were coins in the flattened grass. She took pictures of the scene and then arrested BIG LEGGINS from his nearby home. After the arrest, criminal investigators noticed and photographed bite and scratch marks on BIG LEGGINS' body.

BIG LEGGINS' clothing was seized as evidence and sent to the FBI Laboratory, along with clothing from the victim, and the swabs from the sexual assault examination. Criminal investigators took swabs of BIG LEGGINS and submitted them to the FBI lab for testing. DNA testing located the presence of the victim's DNA in the swim trunks worn by BIG LEGGINS at the time he was arrested. Blood was located on the clothing of the victim.

Assistant U.S. Attorney Richard A. Hosley prosecuted the case for the United States.

The investigation was a cooperative effort between the Fort Peck Tribes Criminal Investigation Division and the Federal Bureau of Investigation.

STANETTE PATRICIA CROWE

STANETTE PATRICIA CROWE, a 21-year-old resident of Brockton, was sentenced to a term of:

- Prison: 33 months
- Special Assessment: $100
- Supervised Release: 3 years

CROWE was sentenced after having been found guilty during a 2-day trial of involuntary manslaughter.

Assistant U.S. Attorney Richard A. Hosley prosecuted the case for the United States.

The investigation was a cooperative effort between the Fort Peck Tribes Criminal Investigation Division, the Roosevelt County Sheriff's Office and the Brockton Police Department.

GARY O. DRUM

GARY O. DRUM was sentenced to a term of:

- Prison: 33 months
- Special Assessment: $200
- Restitution: $41,978.77
- Supervised Release: 5 years

DRUM was sentenced in connection with his guilty plea to possession of a stolen firearm and arson.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In the early morning hours of August 1, 2007, Fort Peck Tribes police officers responded to a report of a burning vehicle in Poplar. The 2004 GMC pick-up and its contents were completely destroyed in the fire. When officers contacted the owner of the pick-up, the owner stated that on the previous night he had parked his pick-up outside of his brother's home in Poplar. The next morning the owner discovered the pick-up was missing. The owner stated that he had not given permission to anyone to take the vehicle. He also advised the officers that a .357 Sig Glock pistol had been in the truck when it was stolen.

Officers saw footprints at the location from where the pick-up was stolen. The footprints matched prints from the scene of a previous burglary in which DRUM was the primary suspect.

Officers went to DRUM'S home in Poplar. The owner of the home gave the officers permission to enter. Inside, the police officers found DRUM in his bedroom. Also in the room were a set of golf clubs that matched the description of clubs stolen from the pick-up. DRUM'S shoes appeared to have the same tread as the footprints seen earlier.

Several witnesses would have testified that they had seen and spoken with DRUM that day and that DRUM told them he had stolen a pick-up and set it on fire. The witnesses would have further testified that DRUM told them that he took a pistol from the stolen

pick-up. DRUM showed the pistol to some of the witnesses and later sold it for $40.

When interviewed, DRUM admitted that he stole the pick-up along with a handgun and golf clubs. DRUM stated that after stealing the pick-up, he drove it around for a while and later parked it near "Kings Hill" in Poplar when it ran low on gas. He then searched the pick-up and found a pistol and three magazines. He removed the pistol and the magazines from the pick-up and then purposefully set fire to the truck. DRUM burned the pick-up by lighting a matchbook and placing it under the driver's seat. He stated that he burned the pick-up in an attempt to cover up his fingerprints and remove evidence tying him to the theft. DRUM also admitted that he sold the stolen handgun for $40.

Criminal investigators located the buyer of the handgun. The buyer admitted that he purchased the firearm from DRUM for $40. The buyer retrieved the handgun and gave it to investigators. The handgun was a Glock Model 31, .357 Sig caliber, semi-automatic pistol.

Assistant U.S. Attorney Rebecca J. French prosecuted the case for the United States.

The investigation was a cooperative effort between the Fort Peck Tribes Criminal Investigation Division and the Federal Bureau of Investigation.

JARID DEWAYNE FAST HORSE

JARID DEWAYNE FAST HORSE, a 23-year-old resident of Brockton, was sentenced to a term of:

- Prison: 25 months
- Special Assessment: $100
- Supervised Release: 2 years

FAST HORSE was sentenced in connection with his guilty plea to assault resulting in serious bodily injury.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On August 6, 2007, at approximately 4:30 p.m., a Roosevelt County Sheriff's deputy was dispatched to an assault call in Brockton. When the deputy arrived, he saw a male, hereafter referred to as "H.R.T.", lying face down on the back porch of the home."H.R.T." was bleeding profusely from the head and face. D.B., FAST HORSE'S mother, was sitting next to "H.R.T." She was crying and said that her son, FAST HORSE, assaulted "H.R.T."

A tribal officer arrived on the scene. The tribal officer and the deputy went into the

home and arrested FAST HORSE. He was handcuffed, read his tribal rights, and placed into a squad car.

The deputy also observed S.C., FAST HORSE'S brother, at the scene. S.C. had blood on his shirt. The deputy asked S.C. about the blood. S.C. said that he was trying to stop FAST HORSE as he was beating up "H.R.T." S.C. videotaped part of the beating as well as after the beating by FAST HORSE. Both D.B. and S.C. asked during the video if "H.R.T." was dead.

A criminal investigator was called out to the assault scene. When the investigator arrived, FAST HORSE was in the backseat of the police car. "H.R.T." was laying on the porch of the house. "H.R.T.'s" face was extremely swollen and he was bleeding profusely. "H.R.T." was conscious, but his speech was slurred and somewhat difficult to understand. He identified FAST HORSE as the person who caused his injuries. "H.R.T." was transported by ambulance to the Poplar Hospital.

The investigator photographed FAST HORSE during the booking process. FAST HORSE spontaneously began to talk about the assault. The investigator told him not to say anything and informed FAST HORSE that he was only going to take photographs. FAST HORSE blurted out that he would cooperate, that he assaulted "H.R.T." (his uncle), but that he didn't understand why he was being charged with "aggravated" assault when he only beat him up. The investigator told FAST HORSE that he would come by the next day to interview him.

On August 7, 2007, the criminal investigator and a special agent with the FBI met with FAST HORSE at the Poplar Jail. FAST HORSE said that he was drinking alcohol the day prior before he arrived home. His mother picked him up at the cemetery and took him home around 4 p.m. There were several people at the house including FAST HORSE'S brother and sister.

A short time later, "H.R.T." came to the house. FAST HORSE was sitting on the back porch with "H.R.T." FAST HORSE punched "H.R.T." who was sitting in a chair on the porch. "H.R.T." got up and he and FAST HORSE began punching one another.

FAST HORSE said that "H.R.T." fell down, and FAST HORSE punched him three times and kicked him in the head as he lay on the ground. FAST HORSE said that "H.R.T." was not talking while he lay on the ground. His brother pulled FAST HORSE off "H.R.T." and said that "he'd had enough." "H.R.T." was unconscious on the ground.

"H.R.T." was examined by a doctor at the Poplar Hospital on August 6, 2007. "H.R.T." suffered a nasal fracture, soft tissue damage to his left eye, and a hemorrhagic contusion on his brain caused by blunt trauma. The doctor would have testified that the brain contusion was consistent with being hit with a fist, being kicked, or being struck with a bat. The doctor would also have testified that the injuries to the brain were life threatening and constituted serious bodily injury.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Fort Peck Tribes Criminal Investigation Division, the Russell County Sheriff's Office and the Federal Bureau of Investigation.

GERALD LITTLEHEAD

GERALD LITTLEHEAD, a 25-year-old resident of Wolf Point, was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Restitution: $6,099.99
- Supervised Release: 3 years

LITTLEHEAD was re-sentenced after having been found guilty during a 2-day trial of voluntary manslaughter. His original sentence was appealed to the Ninth Circuit Court of Appeals. The sentence was reversed and remanded back to U.S. District Court for re-sentencing.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

JONATHAN ANDREW MARTELL

JONATHAN ANDREW MARTELL , a 31-year-old resident of Fort Peck, was sentenced to a term of:

- Prison: 78 months
- Special Assessment: $ 100
- Supervised Release: 3 years

MARTELL was sentenced in connection with his guilty plea to voluntary manslaughter.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In the early morning hours of September 30, 2006, shortly after 2:45 a.m., the 911 dispatch center received a report of a disturbance at an apartment in Wolf Point. The apartment was registered to MARTELL and his live-in girlfriend.

When Fort Peck Tribal Police arrived at the scene a few minutes after the call, they found MARTELL, Kenneth Booth, MARTELL'S girlfriend and another adult female.

They appeared to be intoxicated. Police removed MARTELL from the apartment. They took MARTELL to his mother's home to spend the night and "sleep it off."

At 4:02 a.m. that same morning, 911 received another report of a disturbance at the same apartment. The caller said that "JOHN MARTELL is out here and he is flipping out on his woman and some other guy. The guy is laying on the ground and he is covered in blood." Police were again dispatched to the motel.

When law enforcement officers arrived, they found Kenneth Booth lying in the motel's parking lot. Booth was covered in blood, his face was bloody and beaten, he was foaming at the mouth and having difficulty breathing. Witnesses told officers that they saw MARTELL drag Booth's lifeless body from the apartment.

Officers administered first aid to Booth. Booth's breathing was "faint and infrequent," he was unresponsive, and his pulse was weak. Booth was transported by ambulance to the hospital in Wolf Point, where he later died.

Officers found MARTELL and his girlfriend in the apartment. There was blood splattered throughout the room. The girlfriend had a welt on the side of her face and blood on her lip. The girlfriend told officers that MARTELL fought with Kenneth Booth and hit him because Booth made sexual advances toward her. She said that Booth's advances made MARTELL jealous. MARTELL was arrested and taken to the Roosevelt County jail.

As officers handcuffed MARTELL, they noticed that he had blood on his hands. Officers swabbed MARTELL'S hands to collect samples of the blood. Law enforcement agents also took samples of the blood found in the motel room. The swabs from MARTELL'S hands and the motel were sent to the FBI Laboratory in Quantico, Virginia for DNA analysis. The FBI Laboratory later determined that the blood on MARTELL'S hands and the blood in the motel belonged to Kenneth Booth.

An autopsy was conducted on Kenneth Booth on September 30, 2006. The medical examiner determined that Booth died as the result of blunt force injuries inflicted to his head and neck. The manner of death was listed as homicide.

Assistant U.S. Attorney E. Vincent Carroll prosecuted the case for the United States.

The investigation was a cooperative effort between the Fort Peck Tribes Criminal Investigation Division and the Federal Bureau of Investigation.

JACE MICHAEL TODD

JAYCE MICHAEL TODD, a 19-year-old resident of Poplar, was sentenced to a term of:

- Prison: 24 months

- Special Assessment: $100
- Restitution: $1,820
- Supervised Release: 3 years

TODD was sentenced in connection with his guilty plea to burglary.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On April 25, 2007, Fort Peck tribal law enforcement officers were called to a residence in Poplar to investigate a burglary. An officer arrived at the home and discovered that someone had kicked in the basement door and the home was in significant disarray. The homeowner provided the officer with a list of stolen items. Two area residents told law enforcement where the men involved in the burglary went and what they were wearing. Officers searched a nearby house and saw TODD passed out in a back bedroom. They also found several items stolen during the burglary.

On April 26, 2007, TODD was interviewed and stated that he was drinking whiskey with two other men on April 25, 2007, and he suggested that the men break into a house to steal valuables to sell for money. They selected a particular residence because it was nice and big. TODD kicked in the basement door and stole several pieces of jewelry, a silverware set, a CD player, and some phonograph record albums. The items TODD described having taken were consistent with some of the items recovered by law enforcement and identified by the victim.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was conducted by the Fort Peck Tribes Criminal Investigation Division.

VALANDA WHITE HAWK

VALANDA WHITE HAWK, a 30-year-old resident of Wolf Point, was sentenced to a term of:

- Prison: 46 months
- Special Assessment: $100
- Supervised Release: 3 years

WHITE HAWK was sentenced in connection with her guilty plea to assault resulting in serious bodily injury.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On November 2, 2007, WHITE HAWK and the female victim were at a house party in Wolf Point when WHITE HAWK stabbed the victim in the face and chest with a knife.

When officers responded to the scene of the stabbing, an officer heard WHITE HAWK yell, “I killed her this time,” as another officer was taking WHITE HAWK into custody.

The victim was found lying on the floor in the kitchen area and an individual was holding a towel to her face in an attempt to stop the bleeding from a large stab wound. The individual told police that the victim had suffered stab wounds to her face, chest, and shoulder.

Officers found a folding knife that was locked into the open position sitting on a table in the kitchen area. Several witnesses were interviewed and each stated WHITE HAWK had stabbed the victim.

The victim was transported to the Wolf Point Hospital where she was diagnosed with a 6 cm deep laceration to the left side of her face, a stab wound to her left chest, and a stab wound to her upper left arm. The stab wound to her left cheek punctured into the oral cavity. The doctor characterized her wounds as serious bodily injury based upon the location and depth of the stab wounds. He also stated that the face and chest wounds could have easily been fatal and that the facial wound would result in long term disfigurement.

Assistant U.S. Attorney Vince Carroll prosecuted the case for the United States.

The investigation was a cooperative effort between the Fort Peck Tribes Criminal Investigation Division and the Federal Bureau of Investigation.

INDIAN COUNTRY - NORTHERN CHEYENNE RESERVATION

JOHN STEVEN BIGBACK

JOHN STEVEN BIGBACK, a 21-year-old resident of Lame Deer, was sentenced to a term of:

- Prison: 168 months
- Special Assessment: $100
- Supervised Release: life

BIGBACK was sentenced in connection with his guilty plea to aggravated sexual abuse.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

During the early morning hours of October 14, 2006, the victim was walking through the west side of Lame Deer when an unidentified male, later identified as BIGBACK, began following her. The victim entered an abandoned house and BIGBACK followed her into the house. The victim turned on the lights in the house and BIGBACK turned them off. This happened a couple of times. Then BIGBACK grabbed the victim. The victim responded by telling BIGBACK, "Don't" and "Put me down." BIGBACK put the victim on the floor and sexually assaulted her.

The victim fled the abandoned house and telephoned her mother from a convenience store in Lame Deer, and asked her mother to come and pick her up because "something happened." The victim's mother picked her up a short time later. The victim was hysterical and crying when her mother picked her up. Her mother noticed that she had bruises on her body.

BIGBACK was interviewed several times. BIGBACK finally admitted that he did have sexual intercourse with the victim even though she protested and tried to physically resist him. He also admitted that the victim told him to stop twice when he was having sexual intercourse with her.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

FRANCIS BLACK HORSE JR.

FRANCIS BLACK HORSE JR., a 52-year-old resident of Lame Deer, was sentenced to a term of:

- Prison: 63 months
- Special Assessment: $100
- Supervised Release: 3 years

BLACK HORSE was sentenced in connection with his guilty plea to assault with a dangerous weapon.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On November 20, 2007, law enforcement received a report from BLACK HORSE that a woman was dying at his house with a "cut throat." Police officers responded to BLACK HORSE'S home, located in Lame Deer, and found a woman lying unconscious in a large pool of blood with several facial lacerations. A knife was on the floor near the woman's head.

When asked by the officers what happened, BLACK HORSE told the officers that he

and the woman had a knife fight. The woman, who regained consciousness, told the officers that BLACK HORSE tried to cut her throat. Both were intoxicated. The woman was treated at the Indian Health Services Hospital in Lame Deer and then transferred to the Billings Clinic for further treatment.

The investigation revealed that BLACK HORSE and the victim had been in a relationship since March of 2007 and living together at the time of the assault. They were drinking together during the night of the assault and began to argue. During the argument, which stemmed from BLACK HORSE'S jealousy about a previous boyfriend, BLACK HORSE threatened to make the victim "uglier than hell." He then sliced her face, hand, and stabbed her head. The victim did not have a knife or any type of weapon at the time.

BLACK HORSE was interviewed and admitted that he had been drinking with the victim. He blacked out for some period of time and then woke up when something struck him on the head. He began fighting with the victim and "was getting the best of her." He used the knife to force her to let go of his hair. He admitted that he caused the lacerations to her face. He also admitted that it was unnecessary for him to use the knife because he is a stronger and better fighter. He expressed remorse for stabbing the victim.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Bureau of Indian Affairs.

DONNA MAE DREAMER

DONNA MAE DREAMER, a 43-year-old resident of Rapid City, South Dakota, was sentenced to a term of:

- Prison: 3 months (home arrest)
- Special Assessment: $500
- Supervised Release: 4 years

DREAMER was sentenced in connection with her guilty plea to conspiracy to distribute marijuana, distribution of marijuana, and distribution of marijuana within a 1,000 feet of a rest area.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

An investigation of DREAMER and Grant Eudine Dillon was initiated by the Crow/Northern Cheyenne Safe Trails Task Force after learning that DREAMER and Dillon were involved in the distribution of marijuana on the Crow and Northern

Cheyenne Indian Reservations. At the time that the investigation began, DREAMER and Dillon lived in South Dakota, although they had formerly resided in Hardin. A cooperating witness was used by the task force to purchase marijuana from DREAMER on the following dates and locations.

On July 22, 2005, the cooperating witness purchased a 1/4 pound of marijuana for $350 from DREAMER. The suspected marijuana was tested by the DEA laboratory. The testing confirmed the substance was marijuana with a net weight of 97.6 grams. This purchase took place at a gas station in Alzada.

On August 5, 2005, the cooperating witness purchased 1 pound of marijuana from DREAMER for $1,400. The suspected marijuana was tested by the DEA laboratory. The testing confirmed the substance was marijuana with a net weight of 444.3 grams. This purchase took place in Lame Deer.

On August 31, 2005, the cooperating witness purchased 1 pound of marijuana for $1,400 from DREAMER. The suspected marijuana was tested by the DEA laboratory. The testing confirmed the substance was marijuana with a net weight of 447.9 grams. This purchase took place at the rest area/weigh station east of Broadus on Highway 212.

On September 12, 2005, the cooperating witness purchased 1½ pounds of marijuana from DREAMER and Dillon for $2,100. The suspected marijuana was tested by the DEA laboratory. The testing confirmed the substance was marijuana with a net weight of 620.5 grams. This purchase took place at the motel in Crow Agency.

Dillon pled guilty to federal charges and has been sentenced.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Crow/Northern Cheyenne Safe Trails Task Force, the Bureau of Indian Affairs and the Federal Bureau of Investigation.

SHELDON KEITH FOOTE

SHELDON KEITH FOOTE, a 34-year-old resident of Lame Deer, was sentenced to a term of:

- Prison: 36 months
- Special Assessment: $100
- Supervised Release: 3 years

FOOTE was sentenced in connection with his guilty plea to assault resulting in serious bodily injury.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On January 9, 2008, officers with the Bureau of Indian Affairs responded to FOOTE'S residence in Lame Deer after a call was received from a female that she had been stabbed in the back.

When the first officer arrived at the house, he heard a female, identified as the victim, yelling for help. He recovered a knife from the scene and observed blood soaking through the victim's T-shirt near her left rib cage area.

An ambulance was called and the victim was transported to the Lame Deer Emergency Room. After being examined at Lame Deer, she was flown to the Billings Clinic for treatment of a punctured lung.

When interviewed, FOOTE stated that he was too intoxicated to remember much about the incident, but when asked if he stabbed the victim, he said, "it had to be me . . . no one else was there."

The victim was also interviewed and stated that FOOTE stabbed her.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Bureau of Indian Affairs and the Federal Bureau of Investigation.

KRISTA RAE LITTLE HEAD

KRISTA RAE LITTLE HEAD, a 23-year-old resident of Lame Deer, was sentenced to a term of:

- Prison: 43 months
- Special Assessment: $200
- Supervised Release: 3 years

LITTLE HEAD was sentenced in connection with her guilty plea to making false statements to federal officers, in CR 08-50-BLG-JDS, and to assault with a dangerous weapon, in CR 08-61-BLG-JDS.

In an Offer of Proof filed by the United States in CR 08-50-BLG-JDS, the government stated it would have proved at trial the following:

On February 23, 2008, LITTLE HEAD reported to a Bureau of Indian Affairs (BIA) police officer that she was raped by three males the previous night. She stated that the men held her down while she was raped and that one of the men struck her in the face

during the rape. She identified the men and provided additional details about the rape. LITTLE HEAD made the same report to a doctor. Because of the nature of the offense reported by LITTLE HEAD, the three men that she identified were arrested and detained in tribal jail. The BIA criminal investigator contacted the FBI for assistance with the investigation.

During an interview with one of the men, the BIA and FBI agents were interrupted by an officer who stated that LITTLE HEAD wanted to know how to drop the charges because "it didn't happen." The agents then interviewed LITTLE HEAD again. During the interview, LITTLE HEAD admitted that she made up the allegation. The men were subsequently released from jail.

In an Offer of Proof filed by the United States in CR 08-61-BLG-JDS, the government stated it would have proved at trial the following:

On the night of March 15, 2008, the victim, LITTLE HEAD'S boyfriend, was drinking in Lame Deer with some friends. At some point during the evening, LITTLE HEAD and the victim returned to LITTLE HEAD'S home in Lame Deer where the two of them began to argue. LITTLE HEAD believed that the victim was involved in a relationship with an old girlfriend. The victim denied the allegation, but the argument continued and, at some point, LITTLE HEAD struck the victim in the face. The victim did not hit or strike LITTLE HEAD. The argument continued and, eventually, the victim told LITTLE HEAD that he wanted to end their relationship. LITTLE HEAD left the room, telling the victim that she was going to use the bathroom. LITTLE HEAD left the room and returned a few seconds later holding her left hand behind her back. She approached the victim and stabbed the victim four times in the chest with a large knife. After he was stabbed, the victim told LITTLE HEAD that he had to go to the hospital, but LITTLE HEAD would not let the victim leave. Eventually LITTLE HEAD told her brother to check on the victim, which he did. He helped the victim by dressing the stab wounds. The victim then left LITTLE HEAD'S house and went to his brother's house. The victim's brother and girlfriend put more bandages on the wounds and then contacted the ambulance. The victim was transported to the IHS clinic in Lame Deer for treatment of multiple penetrating stab wounds to his chest. He was then transferred from Lame Deer to Billings for further medical treatment.

When interviewed, LITTLE HEAD admitted that she had stabbed the victim in the chest. The knife was recovered. It was a kitchen knife approximately six inches long.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigations were a cooperative effort between the Bureau of Indian Affairs and the Federal Bureau of Investigation.

JACK DANIEL ROMAN NOSE

JACK DANIEL ROMAN NOSE, a resident of Busby, was sentenced to a term of:

- Prison: 30 months
- Special Assessment: $100
- Supervised Release: 3 years

ROMAN NOSE was sentenced in connection with his guilty plea to assault with a dangerous weapon.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On the evening of July 13, 2007, ROMAN NOSE stabbed his former girlfriend three times – twice in the stomach and once in the hand. The stabbing took place outside of the victim's home in Busby, within the boundaries of the Northern Cheyenne Indian Reservation. The stabbing occurred some time after ROMAN NOSE and the victim had argued about their child. The victim had left their son in the care of her new boyfriend. ROMAN NOSE had been drinking that day.

When questioned, ROMAN NOSE advised that he had been angry with the victim and that after he had obtained a large knife, he went to her house. ROMAN NOSE stated that he had been expecting a fight. He arrived at the house at the same time the victim was pulling up in her car. ROMAN NOSE confronted her. They began to argue and he stabbed her. A witness was standing nearby and witnessed the stabbing.

After stabbing the victim, ROMAN NOSE fled and eventually hid in a field watching law enforcement arrive at the scene and investigate the crime. He discarded the knife at some point during his flight.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

RENO JAMES RUNS ABOVE

RENO JAMES RUNS ABOVE, age 36, was sentenced to a term of:

- Prison: 180 months
- Special Assessment: $100
- Restitution: $5,811.10
- Supervised Release: 3 years

RUNS ABOVE was sentenced in connection with his guilty plea to accessory after the

fact.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On May 12, 2008, Bureau of Indian Affairs (BIA) law enforcement received a report that an adult female (R.W.T.) was missing. BIA officers initiated a missing person investigation and conducted numerous interviews. Officers learned that RUNS ABOVE was the last person seen with R.W.T.

At some point, law enforcement suspected foul play and converted the missing person investigation into a criminal investigation. After conducting numerous interviews, law enforcement learned that on the evening of May 5, 2008, RUNS ABOVE, R.W.T., and two other adult males were drinking at a trailer house in Ashland. As they drank, the men attempted to convince R.W.T. to have "group sex" with all three of them. She repeatedly told the men no. Her denials made one of other men angry. He assaulted her and attempted to break her neck and kill her.

After the assault, both of the other men left the trailer. They returned a short time later with a handgun and shot R.W.T.

After discussing different ways to dispose of her body, the decision was made to burn her body. The men placed her body into a fire pit and started burning her body and the furniture out of the trailer house. The men burned all of the furniture, including the carpet in the living room where R.W.T. was shot, in an attempt to destroy any evidence of the shooting and the subsequent death of R.W.T. Witnesses stated the fire burned for five days.

The day after the shooting, RUNS ABOVE and the other men returned to the trailer house with bleach to try to clean up the blood from the shooting. The men also had an agreement that they would not tell law enforcement officers about their roles in the death of R.W.T., or their attempts to destroy any evidence of the crime.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Bureau of Indian Affairs and the Federal Bureau of Investigation.

MERVIN LEROY SMALL

MERVIN LEROY SMALL, a 39-year-old resident of Fremont, Nebraska, was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $100

- Supervised Release: 10 years

SMALL was sentenced in connection with his guilty plea to aggravated sexual abuse.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On June 28, 2005, the FBI was notified by the BIA of an allegation of sexual abuse by SMALL of his niece. The victim's father learned of the allegation, confronted SMALL, and assaulted him. SMALL was treated at the clinic in Lame Deer. Law enforcement contacted SMALL about the assault. He refused to cooperate and, within a matter of days, he disappeared from the Northern Cheyenne Indian Reservation.

In 2007, the FBI in Montana received new leads about SMALL's whereabouts. The FBI located SMALL in Fremont, Nebraska and, during an interview on August 4, 2007, SMALL denied the allegation that he sexually assaulted his niece. He explained that his brother had confronted him about the allegation and assaulted him in order to get him to admit the allegation. He stated that in order to stop his brother from beating him, he admitted that he did it.

However, on August 19, 2007, SMALL was re-interviewed and admitted that he in fact did sexually abuse his niece by sticking his finger in her anus. She was six-years-old at the time. He stated that it occurred around April of 2005, at his brother's home in Ashland.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Bureau of Indian Affairs.

EDWIN WHITEMAN JR.

EDWIN WHITEMAN JR., a 29-year-old resident of Lame Deer, was sentenced to a term of:

- Prison: 87 months
- Special Assessment: $200
- Restitution: $6,851
- Supervised Release: 3 years

WHITEMAN was sentenced after having been found guilty during a 1½ -day trial of maiming and assault resulting in serious bodily injury.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

KEVIN WHITEMAN

KEVIN WHITEMAN, a 37-year-old resident of Lame Deer, was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $100
- Supervised Release: 3 years

WHITEMAN was sentenced in connection with his guilty plea to assault resulting in serious bodily injury.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On June 7, 2007, Northern Cheyenne law enforcement received a report that a woman was getting beat up behind a residence in Lame Deer. When law enforcement arrived, bystanders pointed out WHITEMAN crawling up a nearby hillside. Below him was the victim of the offense. When the officer approached the victim, she was having trouble walking and complained of pain between her legs. The officer also observed circular burn marks on the palm of her right hand. The victim told the officer that WHITEMAN had kicked her between her legs, and had put her hand on a burner.

Further investigation revealed that WHITEMAN and the woman were at a nearby house with family. WHITEMAN and the victim were arguing. He then grabbed her hand forced it onto a hot burner in the kitchen. He then threw her on the floor and began kicking her between her legs. The victim reported that she blacked out a few times during the assault.

The victim was taken to the emergency room for treatment at Lame Deer. She was then transferred to St. Vincent's Hospital in Billings for further treatment because of significant hemorrhaging from the pelvis. She suffered a significant pelvic laceration with attendant hemorrhaging and severe pain. Surgery was required to repair the wound.

During the investigation, WHITEMAN made statements to law enforcement taking responsibility for the assault.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

JAMES ARDEN WICK

JAMES ARDEN WICK, a 42-year-old resident of Lame Deer, was sentenced to a term of:

- Prison: 15 months
- Special Assessment: $100
- Supervised Release: 3 years

WICK was sentenced in connection with his guilty plea to being an unlawful user of a controlled substance in possession of a firearm.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

September 13, 2006, a Bureau of Indian Affairs (BIA) officer conducted a traffic stop of WICK in Lame Deer. The officer stopped WICK because he saw the car driven by WICK traveling at a high rate of speed near a housing area, roll through a stop sign, and make an unusually wide turn almost running over the road side curb. The officer was assisted at the scene by another BIA officer.

When asked by the officer to get out of the car, WICK swore at the officers, unbuckled his seatbelt, reached for whatever was below him on the floor board, and stepped out of the car. One of the officers observed a knife in WICK'S waistband and told WICK that they would hold the knife. WICK tried to pull his waist area away from the officer and kept looking at his right side pocket. WICK was put in handcuffs. The officers told him that he was not under arrest, but that he would be detained while they conducted their investigation. WICK was given the opportunity to perform field sobriety tests but he refused. WICK again swore at the officers and refused to follow instructions, so the officer arrested him for the tribal offenses of disorderly conduct and reckless driving.

When the officer attempted to do a pat down search of WICK subsequent to the arrest, WICK pulled his waist area away. When the officer tried to pat down WICK'S right side, he again pulled away and tried to ram the officer with his head. The officers were forced to put WICK on the ground so that they could conduct the pat down search. In WICK'S left front pocket, inside a beaded bag, the officers found $350 in cash wrapped around nineteen clear plastic bindles containing a white crystal substance that later tested positive for methamphetamine.

One of the officers looked into the car and saw two pistols on the floor board of the car.

Subsequent to the arrest, WICK was interviewed by law enforcement. WICK admitted that he was a long time user of methamphetamine.

Assistant U.S. Attorney Lori Harper Suek prosecuted the case for the United States.

The investigation was a cooperative effort between the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Bureau of Indian Affairs.

INDIAN COUNTRY - ROCKY BOY'S RESERVATION

LEANN AHENAKEW

LEANN AHENAKEW, a 31-year-old resident of Havre, was sentenced to a term of:

- Prison: 3 months and 6 days (time served)
- Special Assessment: $100
- Restitution: $1,140.03
- Supervised Release: 3 years

AHENAKEW was sentenced in connection with her guilty plea to theft from an Indian tribal organization.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

In May of 2007, AHENAKEW was hired as a clerk at Gramma's Market which is located on the Rocky Boy's Indian Reservation. The store is owned by the Chippewa Cree Community Development Corporation and is an Indian tribal organization.

On June 3, 2007, the manager of the store became suspicious that AHENAKEW was stealing money from the store. The next day, the manager tallied the cash register receipts from the weekend's sales. The manager found that $823.06 was missing.

The manager then viewed video surveillance from the store for the hours AHENAKEW worked on June 3, 2007. The surveillance disclosed that AHENAKEW stole money from the cash register as well as T-shirts, smokeless tobacco, and cigarettes. All told, AHENAKEW stole $1,140.33 worth of cash and merchandise from the store.

The manager reported the theft to the authorities. On July 9, 2007, AHENAKEW was interviewed by law enforcement. AHENAKEW admitted that she had stolen currency, T-shirts, and smokeless tobacco from the store. She stated, however, that the total amount of property she stole from the store was approximately $500.

The manager was adamant that the total amount of money stolen by AHENAKEW was, in fact $1,140.33. The manager was able to tally the amount of property stolen by AHENAKEW with such precision because: (1) there was a discrepancy of $823.06 between receipts tallied and the money contained in the cash register for the period AHENAKEW worked on June 3, 2007; (2) the T-shirts and tobacco products stolen by AHENAKEW were accounted for as part of a daily inventory process; and (3) the video

surveillance showed AHENAKEW stealing cash, smokeless tobacco, cigarettes, and T-Shirts in the amounts calculated by the manager as part of the daily inventory.

Assistant U.S. Attorney Joseph E. Thaggard prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation in Havre.

LEON RUSSELL RUSSETTE

LEON RUSSELL RUSSETTE, a 26-year-old resident of Box Elder, was sentenced to a term of:

- Prison: 76 months
- Special Assessment: $100
- Supervised Release: 3 years

RUSSETTE was sentenced in connection with his guilty plea to assault with a dangerous weapon.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On February 11, 2007, the victim was employed and finishing his shift as an officer with the Chippewa Cree Law Enforcement Services. The officer had responded to a complaint where RUSSETTE was trying to beat up someone. RUSSETTE ran from the officer as he attempted to arrest RUSSETTE. They struggled. RUSSETTE pulled the metal connector between a screen door and the door jam off of a door at a nearby residence as it was only connected to the screen door.

RUSSETTE swung and stabbed the metal object at the officer, striking him at least twice. Another officer observed RUSSETTE drop the metal pipe but did not see RUSSETTE strike or attempt to strike the officer with the metal object. The officer received visible injuries from RUSSETTE'S use of the metal object.

When asked later why he attacked the officer, RUSSETTE replied that he did not want to go to jail, he wanted to get away and the officer was in his way.

Assistant U.S. Attorney Paulette L. Stewart prosecuted the case for the United States.

The investigation was a cooperative effort between the Rocky Boy's Police

MISCELLANEOUS

MARK ANDREW CHRISTENSEN

MARK ANDREW CHRISTENSEN, a 36-year-old resident of Great Falls, was sentenced to a term of:

- Prison: 24 months, consecutive to the coercion and enticement sentence
- Special Assessment: $100
- Supervised Release: 3 years

CHRISTENSEN was sentenced in connection with his guilty plea to failure to appear for trial.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

CHRISTENSEN had been charged with coercion and enticement (attempt) in CR 06-85-BLG-RFC and had been given notice of the jury trial set for April 30, 2007, in Billings.

On the morning of trial, the court personnel, jury pool, prosecution and defense attorneys were present, but CHRISTENSEN failed to appear as ordered for trial and a warrant for his arrest was issued.

Investigation revealed that CHRISTENSEN had fled his home in Great Falls several days prior to the trial, withdrawing money from his accounts to finance his flight, and leaving notes for his employer and his wife. CHRISTENSEN'S notes explained that he fled to avoid conviction in federal court.

Law enforcement officers spent much time trying to track CHRISTENSEN'S whereabouts, and he was finally arrested in on July 16, 2007, in Vadar, Washington, while driving a vehicle with a recently expired registration.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation, the Billings Police Department and the U.S. Immigration and Customs Enforcement.

VICKIE DYKMAN

VICKIE DYKMAN, a resident of Manhattan, was sentenced to a term of:

- Prison: 1 year probation
- Special Assessment: $100

DYKMAN was sentenced after having been found guilty during a 1½ day trial of theft of postal funds.

Assistant U.S. Attorney Jessica T. Fehr prosecuted the case for the United States.

The investigation was conducted by the Inspector General's Office for the U.S. Postal Service.

RANDAL J. ECKER

RANDAL J. ECKER, a 60-year-old resident of Billings, formerly of Bridger, was sentenced to a term of:

- Probation: 1 year
- Special Assessment: $100

ECKER was sentenced in connection with his guilty plea to a violation of the Clean Air Act Reporting.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

ECKER was employed by the Bridger High School as a teacher whose duties included teaching Vocational Education.

In the spring of 2003, the Bridger School Board approved plans to renovate portions of the Bridger High School, including a building known as the Old Bus Barn. These plans did not include the removal of floor tiles, which the Board members knew contained asbestos.

By the beginning of the 2003 school year, most of the Old Bus Barn renovation had not been completed. ECKER proposed having the students from the Vocational Education class complete the project.

The Vocational Education students began their portion of the Old Bus Barn renovation in September of 2003. ECKER supervised the students, who did most of the work. During the renovation, it became clear to ECKER that the floor tiles would have to be removed, so ECKER decided to remove the floor tiles. He received permission to remove the tiles from the newly hired School Superintendent.

During the renovation, while the students wore protective clothing, the face masks and respirators they used were not designed to prevent asbestos contamination. ECKER

was present during the removal of the tiles. Students reported that, when they began removing the floor tiles, they had a contest to see who could pop floor tiles out of the floor with the most force. They described the brittle floor tiles shattering.

Under ECKER'S supervision, the students removed approximately 265 square feet of asbestos-containing floor tile from the Old Bus Barn. At no time were the students or their parents informed that the floor tiles contained asbestos.

After the tile debris was removed, the students put the debris in garbage cans and then they were put into ECKER'S trailer, who hauled them to the landfill. The vehicle was unmarked in any way, and at no time during the tile removal process was the asbestos tile waste treated as anything other than ordinary construction debris.

Around the end of September, a representative from the Montana School Boards Association inspected the Bridger School and noticed that the asbestos-containing tile had been removed. She asked the School Superintendent for the paperwork concerning the renovation project. The School Superintendent was not aware of the asbestos hazard and had no paperwork.

After learning that the tile contained asbestos, the School Superintendent questioned ECKER about the tile. He stated that he had been told long ago that the tile contained asbestos because he had removed some of it years before. ECKER also made statements to the School Board indicating that he had known the tile contained asbestos before the renovation began.

Three months later, ECKER supervised the Vocational Education students in the renovation of the Home Economics room. Once again, a portion of the floor in a large closet contained asbestos tile which was covered by carpeting. The plan had been to leave the tile in place and remove the carpeting.

One morning, the School Superintendent entered the room and noticed that the asbestos tile had been removed. Again, she questioned ECKER, who stated that he had left the students to retrieve respirators for the clean up of the job, and when he returned, the students had removed all of the tile.

To dispose of the tile, the students placed the bits of asbestos tile debris and carpeting in the dumpster at the school.

Laboratory analysis of the tiles from both sites showed that the tiles removed contained between roughly 9% and 11% chrysotile asbestos, a hazardous waste regulated by the Environmental Protection Agency (EPA).

At no time prior to a public meeting on February 5, 2004, were the students, or their parents, advised that they had been exposed to asbestos.

Under federal law, EPA regulates renovation projects involving the removal of asbestos-containing material that is made “friable,” or dispersed in the air, through the process of cutting, scraping, chipping and abrading.

These regulations require, in part, that the supervisor of a renovation file a plan of renovation in writing with the EPA at least ten-days prior to beginning a renovation project involving the removal of friable asbestos-containing material, including floor tiles.

These regulations also require that work-site precautions are taken to avoid breaking asbestos material into small bits that release asbestos into the air. They also require that the waste be treated as a hazardous material, transported as a hazardous material in a marked vehicle, and disposed only in an approved hazardous material disposal facility.

No effort was made to meet any of the requirements of the EPA regulation. ECKER submitted no written plan to the EPA setting forth how the asbestos-containing tile would be removed.

"Exposure to asbestos fibers can cause serious health problems, and that is why rules and regulations dealing with asbestos removal from buildings must be followed," said Lori Hanson, Special Agent in Charge of EPA's Criminal Investigation Division in Denver. "This criminal prosecution serves to highlight the serious nature of the offense."

Assistant U.S. Attorney Leif M. Johnson prosecuted the case for the United States.

The investigation was conducted by the Inspector General’s Office for the Environmental Protection Agency.

WARREN LEE HEHN

WARREN LEE HEHN, a 54-year-old resident of Missoula, was sentenced to a term of:

- Probation: 5 years
- Special Assessment: $100
- Restitution: $152,523

HEHN was sentenced after having been found guilty during a 1-day trial of failure to pay child support.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the Inspector General’s Office for the U.S. Department of Health and Human Services.

TESSIE KAY HAMILTON

TESSIE KAY HAMILTON, age 29, was sentenced to a term of:

- Prison: 12 months
- Special Assessment: $100
- Supervised Release: 1 year

HAMILTON was sentenced in connection with her guilty plea to perjury.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On September 9, 2006, officers with the Billings Police Department responded to a shooting at the "12th Planet." The incident involved multiple shooters, firing multiple weapons. Two persons were shot and a massive investigation commenced. Over the next three days, investigators learned the names of involved persons and began hearing information that a retaliation shooting was planned.

On September 12th, 2006, officers went to the area near 296 Monroe because they had information that such a retaliation might be aimed at persons known to live there. When officers arrived, they observed several people assembled outside. The officers contacted people in the group and began to identify them and speak with them.

One officer contacted two people who were sitting in a parked car, including the driver, HAMILTON, and a male passenger, Donald Brumfield. The officer received consent from HAMILTON to search the vehicle. The search led to the recovery of a firearm in the glove compartment, where Brumfield was seated. Brumfield advised the officer that the firearm was his.

Because Brumfield was prohibited from lawfully possessing a firearm, the United States indicted him in United States District Court for a federal gun offense. Following this indictment, Brumfield filed a motion to suppress evidence in his case. A primary issue was the voluntariness of HAMILTON'S consent.

On October 4, 2007, an evidentiary hearing was held. Four witnesses testified, including HAMILTON. Before her testimony, HAMILTON was sworn to testify truthfully. When asked whether she had ever been arrested in her life, for anything, she answered, "No." When asked if she ever had any experience with law enforcement, she answered, "I haven't." When asked again if she had ever been in jail, she answered, "No, never."

HAMILTON also testified that she and Brumfield were "completely shocked" by the discovery of the gun and had no idea it was there. She further testified that Brumfield made no admissions about the gun and made no comments that he wanted the gun

back.

After the hearing concluded, law enforcement witnesses were skeptical about HAMILTON'S truthfulness in her testimony and began investigating her criminal history. Records showed her statements about having no involvement in the criminal justice system were plainly false. Jail records and law enforcement records indicated she had been arrested and incarcerated at least twice in felony cases. At the time of the evidentiary hearing, HAMILTON was then under indictment for a felony drug offense in the state of Utah. Another felony prosecution, this one from Yellowstone County, had concluded only the week prior to the evidentiary hearing.

Because of the issues before the Court at the hearing, and because HAMILTON'S testimony differed in several respects from that of other witnesses, her credibility was material to the Court's analysis and ruling. On this point, the Court issued an Order in which it highlighted the importance of HAMILTON'S credibility and found it lacking. The Court noted, ". . . HAMILTON obviously made false statements under oath. . . ."

As to HAMILTON'S testimony that Brumfield made no admissions about the firearm, this was later contradicted by Brumfield himself. Brumfield pled guilty to the indictment on October 29, 2007. At his change of plea hearing, Brumfield acknowledged and admitted that he claimed the gun was his and admitted possessing it to an officer. Far from being "completely shocked" at its discovery, Brumfield told the Court how he had purchased the firearm and hoped to sell it for a profit. HAMILTON'S suggestion under oath that Brumfield was unaware of the gun's presence was also demonstrably false.

Special Assistant U.S. Attorney Ed Zink prosecuted the case for the United States.

The investigation was a cooperative effort between the Billings Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

PAMELA ANN KLINE

PAMELA ANN KLINE, a 39-year-old resident of Billings, was sentenced on the charge of obstruction of mails to a term of:

- Probation: 6 months (unsupervised)
- Special Assessment: $10
- Fine: $300

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

KLINE was awarded Highway Contract Route (HCR) 59135 on October 29, 2005. On December 26, 2007, a supervisor with USPS Customer Service in Billings received a complaint from a customer on KLINE'S route. The customer reported a possible mail

theft by KLINE. The caller reported that two Christmas cards were sent from her mother-in-law in Grand Rapids, Michigan to her address: one card addressed to the caller and her husband and the second card addressed to her son. Her son's Christmas card arrived but the other did not. The card that did not arrive contained a Lowe's gift card valued at $100.

Lowe's loss prevention in Michigan was able to track the gift card and determined it had been used in Billings to purchase a power washer. Lowe's was able to track the purchase and obtain the footage from the security cameras at Lowe's for the register where the gift card was used. The footage shows KLINE purchasing a power washer with the gift card.

KLINE was interviewed by law enforcement. KLINE admitted to taking the gift card and using it to purchase a power washer. KLINE returned the power washer and forwarded a gift card for $100 to the victim. KLINE'S contract with the USPS was terminated following the results of law enforcement's investigation.

Assistant U.S. Attorney Jessica T. Fehr prosecuted the case for the United States.

The investigation was conducted by the Office of Inspector General for the United States Postal Service.

CARL ANTHONY NISSEN

CARL ANTHONY NISSEN, a 42-year-old resident of Billings, pled guilty to an Information which alleged NISSEN knowingly and falsely represented himself verbally and in writing to have been awarded decorations and medals authorized by Congress for the Armed Forces of the United States of America, that is the Silver Star, Combat Action Ribbon with two devices, Navy Commendation with device, Navy Achievement Medal and Navy Unit Commendation, all in violation of 18 U.S.C. § 704(b). Sentencing was held immediately following NISSEN'S guilty plea. NISSEN was sentenced to pay a fine of $250 plus a $5 court surcharge.

In an Offer of Proof read by the United States in open court, the government stated it would have proved at trial the following:

In December of 2007, the FBI in Billings received a tip based on a larger, national investigation, that NISSEN was potentially wearing ribbons and qualification badges on his United States Marine Corps (USMC) dress blue uniform which he did not earn. NISSEN wore the ribbons and qualification badges on numerous occasions while attending events sponsored by the local Marine Corps League.

The FBI obtained a copy of NISSEN'S DD-214, the discharge document used by the USMC, from the Military Records Center in St. Louis, Missouri. The FBI compared the DD-214 provided by the military and the copy NISSEN provided to the Marine Corps

League. The document provided by NISSEN to the Marine Corps League had an altered discharge date, altered specialty number and title, additional and altered decorations, medals, badges commendations, citations and campaign ribbons awarded or authorized. The altered DD-214 also included claims of additional education and training completed by NISSEN.

During the course of the investigation it was also discovered that NISSEN was interviewed by the Billings Gazette for a story on the fall of Saigon in April of 2005. NISSEN claimed in the story to have served three tours of duty in Vietnam and to having served 12 years in the USMC. NISSEN actually served 3 years in the USMC and one tour in Vietnam. NISSEN also claimed to have served in Desert Storm. NISSEN never served in Desert storm.

NISSEN was interviewed and confessed to altering his discharge document. After his confession, NISSEN sent the medals he falsely wore back to the FBI along with a letter of apology. A check of VA records confirmed that NISSEN did not use the altered discharge document to obtain veteran's benefits or preference.

NISSEN faced possible penalties of 6 months in prison, a $5,000 fine and 1 year supervised release.

Assistant U.S. Attorney Jessica T. Fehr prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation.

SUSAN YOLANDA SNYDER

SUSAN YOLANDA SNYDER, a 47-year-old resident of Billings, was sentenced to a term of:

- Probation: 2 years
- Special Assessment: $100

SNYDER was sentenced in connection with his guilty plea to false representation of a social security number.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On April 1, 2003, in Billings, SNYDER filled out employment forms using Social Security number ***-**-1857 [full number withheld to prevent future misuse].

Documentation would have shown that SNYDER had utilized the same Social Security number at various other times when applying for employment.

A Social Security Administration investigator would have testified and provided evidence establishing that Social Security number ***-**-1857 is a valid number which was assigned to a person now deceased.

Further testimony and documentation would have established that Social Security number ***-**-1857 was never assigned to SNYDER and that she has her own Social Security number (***-**-0998) assigned to her.

Assistant U.S. Attorney Michael S. Lahr prosecuted the case for the United States.

The investigation was conducted by the Office of the Inspector General for the Social Security Administration.

TERRY W. TRAVIS

TERRY W. TRAVIS, a 50-year-old resident of Helena, was sentenced to a term of:

- Probation: 5 years
- Special Assessment: $100
- Restitution: $82,925.36

TRAVIS was sentenced in connection with his guilty plea to willful failure to pay child support.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

TRAVIS is the father of three minor children from his second marriage. The childrens' mother, the custodial parent, has resided in the states of Idaho and California, while TRAVIS has resided in Montana.

The parties were married and divorced twice. TRAVIS' first child support obligation for the three children was $375 per month, while his second support obligation was $656 per month. TRAVIS resided in a state other than his former wife and children during the pendency of the support obligations. TRAVIS had notice of his support obligation out of the Fourth Judicial District of the State of Idaho for the children and failed to pay that support since at least 1996. TRAVIS is currently in arrears in excess of $80,000.

During this time period, TRAVIS was employed by various employers, had bank accounts and funds with which to pay his support obligation; however, the only funds paid were those that were garnished from TRAVIS. The State of Montana suspended TRAVIS' driver's license for failing to pay his child support in 2000, but returned it to him in 2001 when he entered into a payment plan to pay his child support. TRAVIS defaulted on his payment plan.

Assistant U.S. Attorney Marcia K. Hurd prosecuted the case for the United States.

The investigation was conducted by the Inspector General's Office for the U.S. Department of Health and Human Services.

LANGLEY WEASELHEAD

LANGLEY WEASELHEAD, a resident of Browning, was sentenced on one misdemeanor charge of criminal contempt:

WEASELHEAD was sentenced to a term of:

- Prison: 30 days (time served);
- Special Assessment: $10;
- Probation: 6 months (unsupervised).

The government stated it would have proved at trial the following:

On May 29, 2008, WEASELHEAD was personally served with a trial subpoena to testify in the criminal matter, *United States v. Theron DeRoche*. The DeRoche trial began on June 3, 2008, in Great Falls, Montana. Despite prior arrangements for transportation, lodging and child care having been made by the United States to accommodate WEASELHEAD, WEASELHEAD failed to appear as required by the subpoena. After WEASELHEAD failed to appear as required by the subpoena, the Court granted DeRoche's motion for a judgment of acquittal. The United States requested a bench warrant for WEASELHEAD's arrest, which the Court granted.

Assistant U.S. Attorney Vince Carroll prosecuted the case for the United States.

The investigation was conducted by the Federal Bureau of Investigation in Browning.

OTHER VIOLENT CRIME, THREATS AND EXTORTION

ANTHONY MICHAEL CONNER and AMANDA JEAN CONNER (CONNER & CONNER)

ANTHONY MICHAEL CONNER, age 31, and AMANDA JEAN CONNER, age 29, residents of Hungry Horse, appeared for sentencing.

ANTHONY CONNER was sentenced to a term of:

- Prison: 18 months
- Special Assessment: $100
- Restitution: $24,079.76

- Supervised Release: 3 years

AMANDA CONNER was sentenced to a term of:

- Probation: 3 years
- Special Assessment: $100
- Restitution: $24, 079.76

They were sentenced in connection with their guilty pleas to conspiracy to destroy or damage property of an energy facility.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Between early October of 2007, and March 24, 2008, ANTHONY CONNER and AMANDA CONNER and Bobby Matney and Terra Matney were involved in a conspiracy with other individuals to damage or attempt to damage several power substations or "energy facilities."

The object of the conspiracy was to steal copper wire and other property and then sell the copper wire at a recycling center in Kalispell.

A total of eleven substations were damaged, or an attempt was made to damage them. The cost of repairs and replacement of stolen copper wire is estimated to be over $87,000. The repairs to date have been temporary and are not yet complete. The removal of the copper grounding wire also placed the energy facility workers at a greater risk of electrocution and nearly caused failure of the energy grid in Northwest Montana.

Bobby Matney and Terra Matney pled guilty to federal charges and have been sentenced.

Assistant U.S. Attorney Elizabeth A. Horsman prosecuted the case for the United States.

The investigation was a cooperative effort between the Flathead County Sheriff's Office and the Office of Inspector General for the U.S. Department of Energy - Richland, Washington.

BOBBY MATTHEW MATNEY and TERRA LEIGH CONNER MATNEY (MATNEY & MATNEY)

BOBBY MATTHEW MATNEY, age 28, and TERRA LEIGH CONNER MATNEY, age 33, residents of Hungry Horse, appeared for sentencing.

BOBBY MATNEY was sentenced to a term of:

- Prison: 10 months
- Special Assessment: $100
- Restitution: $37,057.74
- Supervised Release: 3 years

TERRA MATNEY was sentenced to a term of:

- Prison: 3 months
- Special Assessment: $100
- Restitution: $12,977.98
- Supervised Release: 3 years

They were sentenced in connection with their guilty pleas to conspiracy to destroy or damage property of an energy facility.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

Between early October of 2007, and March 24, 2008, BOBBY MATNEY and TERRA MATNEY were involved with Anthony Michael Conner and Amanda Conner in a conspiracy to damage or attempt to damage several power substations or "energy facilities."

The object of the conspiracy was to steal copper wire and other property and then sell the copper wire at a recycling center in Kalispell.

A total of eleven substations were damaged, or an attempt was made to damage them. The cost of repairs and replacement of stolen copper wire is estimated to be over $87,000. The repairs to date have been temporary and are not yet complete.

The removal of the copper grounding wire also placed the energy facility workers at a greater risk of electrocution and nearly caused failure of the energy grid in Northwest Montana.

Anthony Conner and Amanda Conner pled guilty to federal charges and have been sentenced.

Assistant U.S. Attorney Michael S. Lahr prosecuted the case for the United States.

The investigation was a cooperative effort between the Flathead County Sheriff's Office and the Office of Inspector General for the U.S. Department of Energy - Richland, Washington.

SHANE DOUGLAS SICHTING

SHANE DOUGLAS SICHTING, a 39-year-old resident of Libby, was sentenced to a term of:

- Prison: 120 months
- Special Assessment: $100
- Supervised Release: 3 years

SICHTING was sentenced after having been found guilty during a 2½-day trial of murder-for-hire.

Assistant U.S. Attorney Kris A. McLean prosecuted the case for the United States.

The investigation was a cooperative effort between the Federal Bureau of Investigation and the Kalispell Police Department.

TAX OFFENSES

JAMEE LEE FERLIC

JAMEE LEE FERLIC, a 48-year-old resident of Missoula, was sentenced to a term of:

- Prison: 18 months
- Special Assessment: $400
- Restitution: $103,293
- Supervised Release: 3 years

FERLIC was sentenced in connection with her guilty plea to tax evasion.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

FERLIC worked as the office manager at Jerome's Drilling, a water well drilling company in Missoula. Her duties included preparing all payroll documents, billing for work performed by the company, payment of all bills associated with the business, and other general office work.

During a routine check of business records by the Missoula Federal Credit Union upon FERLIC'S application for a loan, auditors discovered a large discrepancy between the salary FERLIC listed on her application and deposits to her bank accounts. Further investigation by the FBI revealed that FERLIC had embezzled substantial sums of money from Jerome's Drilling.

FERLIC accomplished this embezzlement by changing the payee on expenses entered into Jerome's Drilling's accounting system to show the names of vendors that the company dealt with on a regular basis. FERLIC then wrote checks to herself and would code the transactions to make it look as if the check was written to a vendor. FERLIC had no authority to sign checks out of the business account and business checks required two signatures. To overcome this obstacle to her crime, FERLIC obtained pre-signed checks and wrote the checks to herself and to personal creditors to pay off personal debt.

When interviewed by law enforcement, FERLIC admitted embezzling money from Jerome's Drilling but estimated it could be no more than $150,000. In fact, the criminal investigation revealed FERLIC embezzled approximately $380,000 during the 2000-2004 time period.

FERLIC prepared her own federal tax returns. In preparing her tax returns for tax years 2000-2004, FERLIC failed to include the additional income she embezzled from Jerome's Drilling on any of the returns filed with the Internal Revenue Service.

Assistant U.S. Attorney Kris A. McLean prosecuted the case for the United States.

The investigation was conducted by the Criminal Investigation Division of the Internal Revenue Service.

HENRY LYNN MATTHIES and JUDY MATTHIES

HENRY LYNN MATTHIES and JUDY MATTHIES, residents of Laurel, were sentenced.

HENRY MATTHIES was sentenced to a term of:

- Prison: 36 months
- Special Assessment: $150
- Restitution: $207,724.01
- Supervised Release: 3 years

JUDY MATTHIES was sentenced to a term of:

- Prison: 24 months
- Special Assessment: $100
- Restitution: $204,520.39
- Supervised Release: 3 years

They were sentenced after having been found guilty during a 3-day trial of conspiracy to defraud the federal government. HENRY MATTHIES was also found guilty of willful failure to file tax returns.

First Assistant U.S. Attorney Kurt G. Alme prosecuted the case for the United States.

The investigation was conducted by the Criminal Investigation Division of the Internal Revenue Service.

GARY EUGENE RADI

GARY EUGENE RADI, a 63-year-old resident of Las Vegas, was sentenced to a term of:

- Prison: 60 months
- Special Assessment: $100
- Restitution: $40,920.09
- Supervised Release: 3 years

RADI was sentenced in connection with his guilty plea to making fraudulent claims for federal income tax refunds.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

On approximately March 15, 2004, the Department of the Treasury, Internal Revenue Service, processed a 2003 Form 1040EZ. The form contained the name E.E. (full name withheld to protect privacy), E.E.'s Social Security number, and a signature in the name of E.E. with a date of February 2, 2004. The form represented taxable income of $7,558.74 and a refund due and owing in the amount of $786.35. A 2003 Form W-2, Wage and Tax Statement, was attached to the 1040EZ, listing Jensar, Inc. in Helena as E.E.'s employer. The IRS processed E.E.'s tax return and issued a refund in the amount of $786.35.

On November 30, 2006, an IRS agent interviewed E.E. about his 2003 tax return. E.E. said the Form 1040EZ bore his name and Social Security number, but the signature on the form, though in his name, was not his. He also said that he had never worked for Jensar, Inc. in Helena, including in 2003. E.E. told the agent that he was imprisoned at Crossroads Correctional Institution in Shelby in February 2004 and that he heard that a fellow inmate, RADI, would help prisoners prepare their tax returns. E.E. gave RADI his legitimate W-2s related to work he performed in 2003 and asked RADI to prepare a return. RADI later told E.E. that he had prepared and mailed the return and that E.E. needed to buy him items from the commissary as payment. E.E. did not review the 2003 tax return prior to RADI placing it in the mail and had not seen the return prior to his interview with the agent in 2006.

E.E. told the agent that RADI filled out tax returns for several inmates and was regularly present at mail call, checking to see whether inmates were receiving their refund checks. When E.E. received his refund check, RADI told him he needed to pay for the

filing. E.E. told the agent he felt slightly threatened by RADI and subsequently bought coffee and other items for RADI from the commissary as payment for his assistance in filing the tax return.

At trial, the government would introduce the testimony of E.E. and the 2003 tax return, as well as proof that a refund was issued to E.E. at the Shelby prison. A representative of Jensar, Inc. would testify that E.E. had never worked for that company, specifically in 2003. The government would also call numerous former Shelby inmates for whom RADI prepared false tax returns, both in 2004 (for the year 2003) and in 2005 (for the year 2004). Those inmates would provide evidence concerning RADI'S scheme by offering testimony similar to E.E.'s, including descriptions of occasional threats made by RADI to encourage payments for his fraudulent filings. Many of the inmates would also testify that RADI demanded payment for his services from the proceeds of the refunds, often ranging between $200 and $400, as opposed to the purchase of commissary items.

Assistant U.S. Attorney Timothy J. Racicot prosecuted the case for the United States.

The investigation was conducted by Criminal Investigation Division of the Internal Revenue Service.