

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**DONALD SCOTT TAYLOR,**  
**a/k/a "Wally,"**  
**WILLIAM J. WATSON, and**  
**MICHAEL THOMAS BROWN,**  
**a/k/a "Bear, Jr.,"**

**Defendants.**

CRIMINAL NO. 07-\_\_\_\_\_

COUNT 1: 18 U.S.C. § 1959(a)(5): Violent Crimes in Aid of Racketeering Activity (Conspiracy to Murder Jimmy S. "Bo" Chunn );

COUNT 2: 18 U.S.C. § 1959(a)(1): Violent Crimes in Aid of Racketeering Activity (Murder of Jimmy S. "Bo" Chunn) and 18 U.S.C. § 2;

COUNT 3: 21 U.S.C. § 846, Conspiracy to Manufacture 50 Grams and more of Methamphetamine;

COUNT 4: 18 U.S.C. §§ 924(c)(1)(A)(iii),(j)(1): Carrying a Firearm During and in Relation to a Crime of Violence; and 18 U.S.C. § 2;

COUNTS 5 and 6: 18 U.S.C. § 922(g)(1): Felon in Possession of a Firearm;

Count 7: 26 U.S.C. §§ 5845(a)(2), 5861(d) and 5871: Possession of an Unregistered Firearm;

COUNT 8: 18 U.S.C. § 922 (j) and 924(a)(2): Possession of Stolen Firearms;

COUNT 9: 18 U.S.C. §1952(a)(3): Interstate and Foreign Travel or Transportation in Aid of Racketeering Enterprises and 18 U.S.C. § 2.

NOTICE OF SPECIAL FINDINGS

## **INDICTMENT**

The Grand Jury charges:

### **INTRODUCTORY ALLEGATIONS**

#### **THE RACKETEERING ENTERPRISE, THE ARYAN BROTHERHOOD**

1. At various times relevant to this Indictment, the defendants, **DONALD SCOTT TAYLOR, a/k/a, "Wally," WILLIAM J. WATSON,** and **MICHAEL THOMAS BROWN, a/k/a "Bear, Jr."**, and others were members/prospects/associates of the Aryan Brotherhood, a criminal organization whose members/prospects/associates engaged in acts of violence, and other criminal activities, including murder, kidnapping, attempted murder and conspiracy to manufacture/distribute narcotics, and trafficking in firearms. At all relevant times, the Aryan Brotherhood operated in the District of New Mexico and elsewhere.

2. The Aryan Brotherhood, including its leadership, membership, prospects, and associates, constitutes an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact that engaged in, and the activities of which, affect interstate commerce. The enterprise constitutes an ongoing organization whose members/prospects/associates functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

#### **GENERAL BACKGROUND**

3. The Aryan Brotherhood is a powerful race-based national organization operating inside and outside of state and federal prisons throughout the United States. The Aryan Brotherhood offers protection to "white" inmates if they join the criminal enterprise. Membership in the Aryan Brotherhood is for life. The Aryan Brotherhood promotes "whites" as the superior race and is in constant conflict with those they consider "non-whites."

4. The Aryan Brotherhood of Texas has a written charter ("Constitution") which is followed by the Aryan Brotherhood in New Mexico. The charter lists the duties and responsibilities of the organization and membership and is considered the foundation of the organization.

5. In the past, the Aryan Brotherhood was primarily concerned with the protection of "white" inmates and white supremacy/separatism. The Aryan Brotherhood has expanded its focus to include illegal activities for profit. In some cases, the Aryan Brotherhood has made alliances with prison gangs of other ethnicities to aid in unlawful activities for profit. However, most members of the Aryan Brotherhood live the philosophy of "14/88." "14" represents the "Fourteen Words" that form the basis of their belief that, "We must secure the existence of our people and a future for white children." The "8" represents the eighth letter of the alphabet (H), which when appearing twice -- "88" or HH -- signifies "Heil Hitler," a reference to Adolf Hitler.

6. Once released from incarceration, Aryan Brotherhood members/prospects/associates continue to engage in criminal activity on behalf of the enterprise. Members are required to remain loyal to the Aryan Brotherhood and to work to further the goals of the Aryan Brotherhood through criminal activity. One of the goals of the Aryan Brotherhood is to recruit new members. Aryan Brotherhood members take a "blood in, blood out" oath. This means members have to draw blood on behalf of the Aryan Brotherhood, which according to the Constitution results in a lifetime commitment. Members are required to sign a "Blind Faith Commitment" in which they agree to do anything directed or requested by their superiors without question. Failure to comply may result in severe beating or death. These violent acts are carried out primarily by other Aryan Brotherhood members and sometimes by their

prospects and associates. Identity theft and check fraud are the most prevalent non-violent crimes committed by the Aryan Brotherhood.

7. Each faction of the Aryan Brotherhood has a distinct membership and leadership, but all factions nationwide are called the Aryan Brotherhood. If a member from one Aryan Brotherhood faction enters a prison system controlled by another Aryan Brotherhood faction, that person may choose to remain with his former faction or may change allegiance to the other faction.

8. The Aryan Brotherhood enforces its rules and promotes discipline among its members/prospects/associates through murder, attempted murder, conspiracy to murder, assault, and threats against those who violate the rules or pose a threat to the enterprise. The Aryan Brotherhood also uses murder and the threat of murder to maintain a position of power inside and outside of prison. Maintaining power and avoiding loss of stature motivates the Aryan Brotherhood to commit violent acts against individuals believed to be disrespectful toward the Aryan Brotherhood. Those members/prospects/associates who do not follow the orders of the Aryan Brotherhood are also subject to murder, as is anyone who uses violence against an Aryan Brotherhood member/prospect/associate. Aryan Brotherhood members/prospects/associates who cooperate with law enforcement authorities are also subject to murder.

### **MEMBERSHIP**

9. Aryan Brotherhood members are recruited from both inside and outside of prison. In order to be considered for Aryan Brotherhood membership, a person must be sponsored by another Aryan Brotherhood member. Once sponsored, a prospective member must serve an unspecified term wherein he is referred to as a "prospect" while his conduct is

observed by the members of the Aryan Brotherhood. While a prospect, the individual is considered part of the Aryan Brotherhood family and entitled to the full protection of the enterprise. The prospect is also subject to the rules and orders of the enterprise. If the prospect's conduct during the probationary period is deemed satisfactory, he is admitted into the Aryan Brotherhood.

10. In addition to members, the enterprise includes those closely affiliated with the Aryan Brotherhood who are called "associates." Associates who do not fulfill their obligations to the Aryan Brotherhood are sometimes subject to violence and murder. Members, and oftentimes associates, are required to follow the orders of higher-ranking members. In particular, members are required, when ordered, to kill without hesitation. Members who do not fulfill their obligations to the Aryan Brotherhood are themselves subject to violent acts, to include murder.

### **LEADERSHIP STRUCTURE IN NEW MEXICO**

11. In New Mexico, as in Texas, there are two competing Aryan Brotherhood factions. Each faction in New Mexico follows the leadership of their respective faction in Texas. Because the Aryan Brotherhood in New Mexico is in the organizational phase, it is considered a sub-chapter of the Aryan Brotherhood of Texas, their sponsoring entity. The Aryan Brotherhood in New Mexico seeks to become its own Aryan Brotherhood chapter. The Aryan Brotherhood in New Mexico receives directives and approval from the Aryan Brotherhood of Texas. The Aryan Brotherhood in New Mexico, like full Aryan Brotherhood chapters across the nation, has a defined militaristic ranking structure beginning with soldier and ending with general. The ranking structure remains constant; however, there are frequent personnel changes (promotions, demotions, terminations) within the rank structure.

12. The Aryan Brotherhood hierarchy and membership are frequently incarcerated and/or fleeing from law enforcement. In order to maintain discreet communications to avoid law enforcement scrutiny both inside and outside of prison, the Aryan Brotherhood, both in Texas and New Mexico, has established multiple communication points or “hubs.” The hubs, usually females, support the Aryan Brotherhood’s Aryan supremacist/separatist ideals and have full knowledge that they are supporting a criminal enterprise when they forward communications on behalf of the enterprise.

13. The Aryan Brotherhood hubs carry out duties similar to conventional secretaries, but with the specific purpose of aiding in the avoidance of law enforcement scrutiny to protect Aryan Brotherhood members/prospects/associates. Their duties include, but are not limited to, maintaining Aryan Brotherhood membership and records files, copying and forwarding Aryan Brotherhood letters both inside and outside of prisons, “sanitizing” letters and forwarding them to other members/prospects/associates both inside and outside of prisons, and facilitating “three-way” telephone calls between members/prospects/associates both inside and outside of prisons. The female hubs and other associates who have established themselves to be dependable enjoy the protection of the Aryan Brotherhood.

#### **PURPOSES OF THE ENTERPRISE**

14. The purposes of the enterprise include the following:
- a. Preserving and protecting power, territory, and profits through the use of intimidation, violence, threats of violence, assaults and murder.
  - b. Promoting and enhancing members’/prospects’/associates’ activities.

- c. Keeping individuals in fear of the enterprise and its members/prospects/associates through threats of violence and actual violence.

### **MEANS AND METHODS OF THE ENTERPRISE**

15. The means and methods by which the defendants conduct and participate in the affairs of the Aryan Brotherhood criminal enterprise include the following:

- a. Members/prospects/associates commit, and attempt and threaten to commit, acts of violence, including assault and murder, to protect and expand their criminal operations and to maintain their status.
- b. Members promote a climate of fear through violence and threats of violence.
- c. The rules dictate that an attack against a member will be considered an attack on the enterprise as a whole. All members are required to counter any such attack.
- d. Members promulgate rules as documented in their Constitution to be followed by all participants, including the rule that any member assisting law enforcement authorities must be killed.
- e. To enforce the rules and to promote discipline, members commit murder, attempt to commit murder, assault, and threaten those participants in the enterprise who violate rules or orders, or who pose a threat to the enterprise.
- f. To generate income, participants engage in illegal activities under the protection of the enterprise, including narcotics trafficking, fraud, trafficking in firearms, and other illegal activities.

- g. For protection and armed combat, the enterprise acquires, carries, and uses firearms.
- h. To perpetuate the enterprise, participants attempt to conceal from law enforcement the existence of the Aryan Brotherhood, the identity of its participants, and the ways in which it conducts its affairs.
- i. To keep secret their activities, members communicate using codes and hidden messages, and use a network of hubs to relay messages among members/prospects/associates.

### **ROLES OF THE DEFENDANTS**

16. The defendants who participate in the operation and management of the enterprise are:

- a. **DONALD SCOTT TAYLOR, a/k/a "Wally,"** is a member of the Aryan Brotherhood in New Mexico, and holds the rank of Lieutenant.
- b. **MICHAEL THOMAS BROWN, a/k/a "Bear, Jr.,"** is a member of the Aryan Brotherhood of Texas, and holds the rank of Captain.

17. The above-described enterprise, through its members, prospects, and associates, engaged in racketeering activity as defined in Title 18, United States Code Sections 1959(b)(1) and 1961(1), namely acts involving murder and kidnapping in violation of New Mexico state law, and narcotics trafficking, in violation of Title 21 U.S.C. §§ 841 and 846.

### **OVERVIEW**

18. On or about July 4, 2005, Jimmy S. (Bo) Chunn, a resident of Causey, New Mexico, was murdered. Law enforcement investigation later determined that Jimmy S. (Bo) Chunn was murdered by the Aryan Brotherhood in order to obtain anhydrous ammonia for the express purpose of manufacturing methamphetamine to benefit the Aryan Brotherhood.



Donald Scott Taylor sought to advance the status of the Aryan Brotherhood as well as his position within the Aryan Brotherhood, by committing the murder of Jimmy S. (Bo) Chunn, and other related activities.

### **COUNT 1**

#### **Conspiracy to Murder Jimmy S. (Bo) Chunn**

Paragraphs one through eighteen of the Indictment are re-alleged and incorporated by reference as though fully set forth herein.

Beginning on or about June 5, 2005, and continuing until on or about December 15, 2005, in Roosevelt County, in the State and District of New Mexico and elsewhere, and as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value from the Aryan Brotherhood, and for the purpose of gaining entrance to and maintaining and increasing their position in the Aryan Brotherhood, an enterprise engaged in racketeering activity, the defendant, **DONALD SCOTT TAYLOR, a/k/a "Wally,"** and others known and unknown to the grand jury, did unlawfully, knowingly, and intentionally conspire to murder Jimmy S. (Bo) Chunn, in violation of NMSA 1978, Sections 30-2-1 and 30-28-2.

To further the conspiracy and to effect the objects thereof, the co-conspirators knowingly committed at least one of the following overt acts within the State and District of New Mexico, and elsewhere:

#### **OVERT ACT ONE**

On or about June 5, 2005, Donald Scott Taylor met with Michael Thomas Brown in San Jon, New Mexico. Michael Thomas Brown asked Donald Scott Taylor to

acquire anhydrous ammonia to manufacture methamphetamine for the benefit of the Aryan Brotherhood.

### **OVERT ACT TWO**

On or about June 6, 2005, Donald Scott Taylor agreed with William J. Watson to kill Jimmy S. (Bo) Chunn in exchange for that person providing anhydrous ammonia.

### **OVERT ACT THREE**

On or about July 4, 2005, Donald Scott Taylor shot Jimmy S. (Bo) Chunn in the head with a rifle, killing him.

All in violation of Title 18 United States Code § 1959(a)(5).

### **COUNT 2**

#### **Murder of Jimmy S. (Bo) Chunn**

Paragraphs one through eighteen of the Indictment are re-alleged and incorporated by reference as though fully set forth herein.

On or about July 4, 2005, in Roosevelt County, in the State and District of New Mexico, and as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value from the Aryan Brotherhood, and for the purpose of gaining entrance to and maintaining and increasing his position in the Aryan Brotherhood, an enterprise engaged in racketeering activity defendant, **DONALD SCOTT TAYLOR, a/k/a "Wally,"** did unlawfully, knowingly, and intentionally murder Jimmy S. (Bo) Chunn, in violation of NMSA 1978, Sections 30-2-1 and 30-1-13.

All in violation of Title 18 U.S.C. §§ 1959(a)(1), and (2).

### **COUNT 3**

#### **Conspiracy to Manufacture Methamphetamine**

Beginning in or about June, 2005, and continuing until December 15, 2005, in Roosevelt County, in the State and District of New Mexico and elsewhere, the defendants **DONALD SCOTT TAYLOR, a/k/a "Wally," WILLIAM J. WATSON, and MICHAEL THOMAS BROWN, a/k/a "Bear, Jr.,"** did unlawfully, knowingly and intentionally combine, conspire, confederate and agree together and with each other and with other persons whose names are known and unknown to the grand jury to commit the following offense against the United States, to wit: To manufacture 50 grams and more of Methamphetamine, its Salts, isomers, or Salts of its isomers, a Schedule II controlled substance, contrary to 21 U.S.C. § 841 (a)(1) and 21 U.S.C. § 841 (b)(1)(A).

To further the conspiracy and to effect the objects thereof, the co-conspirators knowingly committed at least one of the following overt acts within the State and District of New Mexico, and elsewhere.

#### **OVERT ACT ONE**

On or about June 5, 2005, Donald Scott Taylor met with Michael Thomas Brown in San Jon, New Mexico. Michael Thomas Brown asked Donald Scott Taylor to acquire anhydrous ammonia to manufacture methamphetamine for the benefit of the Aryan Brotherhood.

#### **OVERT ACT TWO**

On or about June 6, 2005, Donald Scott Taylor agreed with William J. Watson to kill Jimmy S. (Bo) Chunn in exchange for that person providing anhydrous ammonia.

#### **OVERT ACT THREE**

On or about July 4, 2005, Donald Scott Taylor shot Jimmy S. (Bo) Chunn in the head with a rifle, killing him. After shooting and killing Jimmy S. (Bo) Chunn, Donald Scott Taylor hid the rifle he used to kill Jimmy S. (Bo) Chunn in an abandoned house in Rogers, New Mexico.

#### **OVERT ACT FOUR**

On or about September 5, 2005, Donald Scott Taylor provided a cooperating witness with a map to the abandoned house where he had hidden the rifle he used to murder Jimmy S. (Bo) Chunn. Donald Scott Taylor asked the cooperating witness to send an Aryan Brotherhood member to retrieve that rifle and destroy it.

#### **OVERT ACT FIVE**

On or about December 5, 2005, Donald Scott Taylor wrote and provided the cooperating witness with a letter to William J. Watson. The letter read "Bill (William J. Watson) I understand that you have met my bro and you remember while we were drinking together at your house we discussed the favor and as you now (sp) I upheld my part of the deal as of seven four (July 4) and I want you to uphold your end with the Ann-hi-d (anhydrous ammonia) and my bro will discuss all business with you in regards to Annie (anhydrous ammonia) D. Taylor."

#### **OVERT ACT SIX**

On or about December 10, 2005, William J. Watson traveled from New Mexico to Texas and purchased 850 gallons of anhydrous ammonia, then transported it back to New Mexico.

#### **OVERT ACT SEVEN**

On or about December 15, 2005, William J. Watson directed an undercover agent to a location near his property in Causey, New Mexico where he had hidden 850 gallons of anhydrous ammonia. William J. Watson told the undercover agent that he did not want to be near the location when the anhydrous ammonia was picked up.

#### **OVERT ACT EIGHT**

On or about December 15, 2005, the undercover agent, unable to locate the anhydrous ammonia utilizing the directions provided by William J. Watson, called William J. Watson seeking assistance. William J. Watson took the undercover agent to a location near Causey, New Mexico location and provided the undercover agent with the anhydrous ammonia.

All in violation of Title 21 U.S.C. § 846.

#### **COUNT 4**

##### **Carrying a Firearm During and in Relation to a Crime of Violence**

On or about July 4, 2005, in Roosevelt County, in the State and District of New Mexico, the defendant, **DONALD SCOTT TAYLOR, a/k/a "Wally,"** knowingly carried and used a firearm, to wit: a Marlin, Model 336, .30 caliber lever action rifle with an obliterated serial number, during and in relation to a crime of violence, for which the defendant may be prosecuted in a court of the United States, as alleged in Counts 1 and 2 of the Indictment, to wit: Violent Crimes in Aid of Racketeering Activity, conspiracy to murder, and the murder of Jimmy S. (Bo) Chunn, and as a result of that use, caused the death of Jimmy S. (Bo) Chunn, contrary to 18 U.S.C., §§ 1959(a)(1), and (2).

In violation of 18 U.S.C. §§ 924(c)(1)(A) (iii), (j)(1), and 18 U.S.C. § 2.

#### **COUNT 5**

### **Felon in Possession of a Firearm**

On or about July 4, 2005, in Roosevelt County, in the State and District of New Mexico, the defendant, **DONALD SCOTT TAYLOR, a/k/a “Wally,”** a person who had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, that is:

- a. Attempted Armed Robbery, Case No. CR-20000065, convicted on December 20, 2000, in the Ninth Judicial District Court, County of Roosevelt, State of New Mexico;
- b. Breaking and Entering, Case No. CR-20000077, convicted on December 20, 2000, in the Ninth Judicial District Court, County of Roosevelt, State of New Mexico;
- c. Criminal Damage to Property over \$1,000.00, Case No. 2002-22-CR, convicted on October 23, 2002, in the District Court, County of Guadalupe, State of New Mexico;
- d. Felon In Possession of Ammunition, Case No. CR. 05-2513, convicted on August 23, 2006, in United States District Court for the District of New Mexico,

did knowingly possess in and affecting commerce a firearm, that is, a Marlin, Model 336, .30-.30 caliber lever action rifle with an obliterated serial number, which had been shipped and transported in interstate and foreign commerce.

In violation of 18 U.S.C. §§ 922 (g)(1) and 924 (a)(2).

### **COUNT 6**

### **Felon in Possession of a Firearm**

On or about July 7, 2005, in Roosevelt County, in the State and District of New Mexico, the defendant, **DONALD SCOTT TAYLOR, a/k/a “Wally,”** a person who had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, that is:

- a. Attempted Armed Robbery, Case No. CR-20000065, convicted on December 20, 2000, in the Ninth Judicial District Court, County of Roosevelt, State of New Mexico;
- b. Breaking and Entering, Case No. CR-20000077, convicted on December 20, 2000, in the Ninth Judicial District Court, County of Roosevelt, State of New Mexico;
- c. Criminal Damage to Property over \$1,000.00, Case No. 2002-22-CR, convicted on October 23, 2002, in the District Court, County of Guadalupe, State of New Mexico;
- d. Felon In Possession of Ammunition, Case No. CR. 05-2513, convicted on August 23, 2006, in United States District Court for the District of New Mexico,

did knowingly possess in and affecting commerce firearms, that is, a Ruger, Model 77, .25-06 caliber rifle, bearing serial number 784-34847; a Harrington & Richardson, Model 88, 12 gauge shotgun, bearing serial number BA 500390; a Marlin, Model 81TS, .22 caliber rifle, bearing serial number 99373076; a High Standard, Model Derringer, .22 magnum caliber Derringer, bearing serial number D42200; a Remington, Model 10, 12 gauge shotgun, bearing serial number 241543; a Glenfield, Model 25, .22 caliber rifle with no serial number; a Remington, Model 66, .22 caliber semi-automatic rifle bearing serial number 2361117; a Remington, Model

1889 Side by Side, 12 gauge shotgun, bearing serial number 216412, which had been shipped and transported in interstate and/or foreign commerce.

In violation of 18 U.S.C. §§ 922 (g)(1) and 924 (a)(2).

#### **COUNT 7**

##### **Possession of an Unregistered Firearm**

On or about July 7, 2005, in Roosevelt County, in the State and District of New Mexico, the defendant, **DONALD SCOTT TAYLOR, a/k/a "Wally,"** knowingly possessed a firearm, that is, a weapon made from a shotgun, further described as a Remington, Model 1889 Side by Side, 12 gauge shotgun, bearing serial number 216412, having a barrel length of 11.25 inches with an overall length of 19 inches, said firearm not registered to him in the National Firearms Registration and Transfer Record.

In violation of Title 26 U.S.C. §§ 5845(a)(2), 5861(d) and 5871.

#### **COUNT 8**

##### **Possession of Stolen Firearms**

On or about July 7, 2005, in Roosevelt County, in the State and District of New Mexico, the defendant, **DONALD SCOTT TAYLOR, a/k/a "Wally,"** knowingly and unlawfully possessed stolen firearms, that is, a Ruger, Model 77, .25-06 caliber rifle, bearing serial number 784-34847; a Harrington & Richardson, Model 88, 12 gauge shotgun, bearing serial number BA 500390; a Marlin, Model 81TS, .22 caliber rifle, bearing serial number 99373076; a High Standard, Model Derringer, .22 magnum caliber Derringer, bearing serial number D42200; a Remington Model 10, 12 gauge shotgun, bearing serial number 241543; a Remington Model 66, .22 caliber semi-automatic rifle, bearing serial number 2361117; a Remington Model 1889 Side by Side, 12 gauge shotgun, bearing serial number 216412; a Glenfield Model 25, bolt action .22 caliber rifle with no serial number; a Marlin Model 336, .30-30 caliber lever action rifle with an obliterated serial number; said firearms having been



shipped and transported in interstate and foreign commerce, the defendant well knowing and having reasonable cause to believe that the firearms were stolen.

In violation of Title 18 U.S.C. §§ 922(j) and 924(a)(2).

### **COUNT 9**

#### **Interstate and Foreign Travel or Transportation in Aid of Racketeering Enterprises**

On or about December 10, 2005, in the District of New Mexico and elsewhere, the defendant, **WILLIAM J. WATSON**, did travel in interstate commerce, from the State of Texas, to the State of New Mexico, with intent to promote, manage, establish, and carry on, and to facilitate the promotion, management, establishment and carrying on of an unlawful activity, said unlawful activity, to-wit: a business enterprise involving narcotics and controlled substances, as defined in Section 102(6) of the Controlled Substances Act, and thereafter did knowingly perform and attempt to perform acts to promote, manage, establish, and carry on, and to facilitate the promotion, management, establishment, and carrying on of said unlawful activity, that is **WILLIAM J. WATSON** did conspire, with others known and unknown to the grand jury, to manufacture methamphetamine.

In violation of Title 18, U.S.C. § 1952(a)(3).

### **NOTICE OF SPECIAL FINDINGS**

The grand jury repeats and realleges the accusations of Counts 2 and 4 of the Indictment.

With respect to Counts 2 and 4, the Grand Jury makes the following special findings that the defendant, **DONALD SCOTT TAYLOR, a/k/a “Wally:”**

- a. was 18 years of age or older at the time of the offense charged in Counts 1 and 2 (18 U.S.C. § 3591(a));
- b. intentionally killed Jimmy S. (Bo) Chunn (18 U.S.C. § 3591(a)(2)(A));

- c. intentionally inflicted serious bodily injury that resulted in the death of Jimmy S. (Bo) Chunn (18 U.S.C. § 3591(a)(2)(B));
- d. intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and Jimmy S. (Bo) Chunn died as a direct result of the act (18 U.S.C. § 3591(a)(2) (C));
- e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and Jimmy S. (Bo) Chunn died as a result of the act (18 U.S.C. § 3591(a)(2)(D));
- f. has previously been convicted of a violent felony involving a firearm which is punishable by a term of imprisonment of more than one year (18 U.S.C. § 3592(c)(2));
- g. procured the commission of the offense by payment, or promise of payment, of anything of pecuniary value (Title 18, United States code, Section 3592(c)(7)); and
- h. committed the offense after substantial planning and premeditation to cause the death of Jimmy S. (Bo) Chunn (18 U.S.C. § 3592(c)(9)).

A TRUE BILL:

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FOREPERSON OF THE GRAND JURY

LARRY GOMEZ  
Acting United States Attorney

\_\_\_\_ June 19, 2007