

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
OWEN PUCKETT, JR.,)
a/k/a "Outlaw,")
RICHARD WESLEY AUE,)
a/k/a "Hawk,")
JAMES CURTIS THOMPSON,)
a/k/a, "007,")
JASON LEE HANKINS,)
a/k/a, "Trooper,")
ROBERT GUYTON COOK,)
a/k/a "Krusty,")
SAMUEL ZACHARY ARRINGTON,)
a/k/a "Zac")
COURTLAN RAY EDMONDS,)
a/k/a/ "Rabbit,")
MARY SHYRL BERRY,)
a/k/a "Sunshine,")
MIRANDA HELEN MALONE,)
a/k/a "Mandy,")
REBECCA LYNN PUCKETT,)
a/k/a/ "Becca," a/k/a "Rebecca)
Henley," a/k/a "Rebecca Campos,")
a/k/a "Rebecca Merrill," a/k/a)
"Rebecca Ringener,")
KEVIN PARMENTIER,)
a/k/a "Evil,")
and MICHAEL TANNER,)
)
Defendants.)

CRIMINAL NO. 07-766 WJ

UNDER SEAL

COUNT 1: 18 U.S.C. §§ 1959 (a)(5): Violent Crimes in Aid of Racketeering (Conspiracy to Murder Billy Anders);

COUNT 2: 18 U.S.C. § 1959(a)(6): Violent Crimes in Aid of Racketeering Activity (Conspiracy to Commit Assault Resulting in Serious Bodily Injury);

COUNTS 3 and 6: 18 U.S.C. § 922(g)(1) and § 924(a)(2):Felon in Possession of a Firearm;

COUNTS 4 and 5: U.S.C. § 922(g)(1) and § 924(e): Felon in Possession of a Firearm.

SEALED SUPERSEDING INDICTMENT

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS

THE RACKETEERING ENTERPRISE, THE ARYAN BROTHERHOOD

1. At various times relevant to this Indictment, the defendants, **OWEN PUCKETT, JR., a/k/a "Outlaw," RICHARD WESLEY AUE, a/k/a "Hawk," JAMES CURTIS THOMPSON, a/k/a, "007," JASON LEE HANKINS, a/k/a, "Trooper," ROBERT GUYTON COOK, a/k/a "Krusty," SAMUEL ZACHARY ARRINGTON, a/k/a "Zac," COURTLAN RAY EDMONDS, a/k/a/ "Rabbit," MARY SHYRL BERRY, a/k/a "Sunshine," MIRANDA HELEN MALONE, a/k/a "Mandy," REBECCA LYNN PUCKETT, a/k/a "Becca," a/k/a "Rebecca Henley," a/k/a "Rebecca Campos," a/k/a "Rebecca Merrill," a/k/a "Rebecca Ringener," KEVIN PARMENTIER, a/k/a "Evil," and MICHAEL TANNER,** 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, 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 and foreign 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

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. **OWEN PUCKETT, JR., a/k/a "Outlaw,"** is the current leader of the Aryan Brotherhood in New Mexico and holds the rank of Major.
- b. **JAMES CURTIS THOMPSON, a/k/a, "007,"** is one of five Aryan Brotherhood of Texas Generals with authority over the Aryan Brotherhood in New Mexico.
- c. **JASON LEE HANKINS, a/k/a, "Trooper,"** is one of five Aryan Brotherhood of Texas Generals with authority over the Aryan Brotherhood in New Mexico.
- d. **RICHARD WESLEY AUE, a/k/a, "Hawk,"** is one of five Aryan Brotherhood of Texas Generals with authority over the Aryan Brotherhood in New Mexico.
- e. **ROBERT GUYTON COOK, a/k/a, "Krusty,"** is a leader in the Aryan Brotherhood of Texas and holds the rank of Major.
- f. **SAMUEL ZACHARY ARRINGTON, a/k/a "Zac,"** is a leader in the Aryan Brotherhood of Texas and holds the rank of Captain.
- g. **COURTLAN RAY EDMONDS, a/k/a "Rabbit,"** is a leader in the Aryan Brotherhood of Texas and holds the rank of Captain.
- h. **MARY SHYRL BERRY, a/k/a "Sunshine,"** is a communications hub for the Aryan Brotherhood in both New Mexico and Texas. Her responsibilities include facilitating communications between Aryan Brotherhood members.
- i. **MIRANDA HELEN MALONE, a/k/a "Mandy,"** is a communications hub for the Aryan Brotherhood in both New Mexico and Texas. Her

responsibilities include facilitating communications between Aryan Brotherhood members.

- j. **REBECCA LYNN PUCKETT, a/k/a "Becca," a/k/a "Rebecca Henley," a/k/a "Rebecca Campos," a/k/a "Rebecca Merrill," a/k/a "Rebecca Ringener,"** the wife of **OWEN PUCKETT, JR.**, has assisted her husband and other Aryan Brotherhood members in the conduct of criminal activities for the benefit of the Aryan Brotherhood.
- k. **KEVIN PARMENTIER, a/k/a "Evil,"** is an Aryan Brotherhood in New Mexico leader and carries the rank of "inside" Captain. **KEVIN PARMENTIER** follows the leadership of **OWEN PUCKETT, JR.**
- l. **MICHAEL TANNER** is an associate of the Aryan Brotherhood in New Mexico.

COUNT 1

Conspiracy to Murder Billy Anders

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

18. At all times relevant to the Indictment, 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 21 U.S.C. §§ 841 and 846.

Background

19. On December 18, 2004, due to reported gun fire, Otero County Sheriff's Deputies Robert Hedman and Billy Anders were dispatched to the Cloudcroft, New Mexico residence of Aryan Brotherhood in New Mexico Major Earl Lee Flippen, at that time the leader of the Aryan Brotherhood in New Mexico. Robert Hedman arrived first and went to the rear of the residence. Billy Anders soon arrived at the front of the residence where he encountered Earl Lee Flippen. A gun battle ensued. Billy Anders shot and wounded Earl Lee Flippen. Billy Anders handcuffed Earl Lee Flippen, went to the rear of the residence and, found Robert Hedman shot to death. Billy Anders returned to the front of the residence and shot and killed Earl Lee Flippen.

20. Within the operational parameters of the Aryan Brotherhood, once a member of the Aryan Brotherhood is "wrongfully killed," the members of the Aryan Brotherhood have a sworn duty to murder the offending party. In early 2005, Aryan Brotherhood of Texas General, with authority over New Mexico, Richard Wesley Aue, by letter, directed members of the Aryan Brotherhood in New Mexico to kill Billy Anders to avenge Earl Flippen's death. Eventually, in May of 2005, the duty to plan the murder of Billy Anders fell on Owen Puckett, Jr., as the leader of the Aryan Brotherhood in New Mexico. Owen Puckett, Jr. ultimately tasked an undercover law enforcement agent to carry out the murder on behalf of the Aryan Brotherhood.

21. Beginning on or about April 17, 2005, and continuing through the date of this indictment, in the District of New Mexico and elsewhere, 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 positions in the Aryan Brotherhood, an enterprise engaged in racketeering activity, the defendants, **OWEN PUCKETT, JR., a/k/a "Outlaw," RICHARD WESLEY AUE, a/k/a "Hawk," JAMES CURTIS THOMPSON, a/k/a, "007," JASON LEE HANKINS, a/k/a "Trooper," ROBERT GUYTON COOK, a/k/a "Krusty," SAMUEL ZACHARY ARRINGTON, a/k/a "Zac," COURTLAN RAY EDMONDS, a/k/a/ "Rabbit," MARY SHYRL BERRY, a/k/a "Sunshine," MIRANDA HELEN MALONE, a/k/a "Mandy, and REBECCA LYNN PUCKETT, a/k/a "Becca," a/k/a "Rebecca Henley," a/k/a "Rebecca Campos," a/k/a "Rebecca Merrill," a/k/a "Rebecca Ringener,"** and others known and unknown to the grand jury, did unlawfully, knowingly and intentionally conspire to murder Billy Anders in violation of NMSA 1978, Sections 30-2-1 and 30-28-2.

22. To further the conspiracy and to effect the objects thereof, the co-conspirators committed overt acts including the following within the States and Districts of New Mexico, Texas, Oklahoma, and elsewhere:

OVERT ACT ONE

On or about April 17, 2005, Richard Wesley Aue mailed a letter to Miranda Helen Malone directing the Aryan Brotherhood revenge murder of Billy Anders, hereinafter referred to as the *Aue Letter*.

OVERT ACT TWO

In or about April, 2005, Miranda Helen Malone, upon receipt of the *Aue Letter*, mailed copies to various members of the Aryan Brotherhood in New Mexico to include Zachary Earl McVey and Owen Puckett, Jr.

OVERT ACT THREE

On or about May 1, 2005, in response to a request by Owen Puckett, Jr., a person known to the grand jury, provided Owen Puckett, Jr., news articles and photographs regarding the death of Earl Lee Flippen.

OVERT ACT FOUR

On or about May 13, 2006, Owen Puckett, Jr., met with CW-1 and UC-1. Owen Puckett, Jr., solicited UC-1 to kill Billy Anders and a member of Billy Anders' family and offered UC-1 a truck, safe-house, and a weapon to facilitate the murder.

OVERT ACT FIVE

On or about May 13, 2006, Owen Puckett, Jr., gave CW-1 a letter he had written, hereinafter referred to as the *Puckett Letter*, directed to the leaders of the Aryan Brotherhood of Texas. The *Puckett Letter* sought the concurrence of Aryan Brotherhood of Texas leaders with the plan to kill Billy Anders and asked for a meeting to discuss the murder in detail. Owen Puckett, Jr., directed CW-1 to mail the *Puckett Letter* to Mary Shyrl Berry, and instructed her to mail it to Aryan Brotherhood of Texas leaders.

OVERT ACT SIX

On or about May 16, 2006, Owen Puckett, Jr., referencing the murder of Billy Anders, directed CW-1 to write a letter to James Curtis Thompson, at that time a leader of the Aryan Brotherhood of Texas overseeing the Aryan Brotherhood in New Mexico, advising him of the contents of the *Puckett Letter*.

OVERT ACT SEVEN

On or about May 16, 2006, Owen Puckett, Jr., in a three-way telephone conversation with CW-1 and Courtlan Ray Edmonds, advised that he had relayed the plans to kill Billy Anders to Jason Lee Hankins.

OVERT ACT EIGHT

On or about May 27, 2006, Owen Puckett, Jr., instructed CW-1 to maintain contact with Courtlan Ray Edmonds and Robert Guyton Cook in preparation for the Aryan Brotherhood meeting in June or early July 2006 to discuss the murder of Billy Anders.

OVERT ACT NINE

On or about May 30, 2006, Mary Shyrl Berry mailed the *Puckett Letter* to Aryan Brotherhood of Texas leaders.

OVERT ACT TEN

In or about May 2006, Jason Lee Hankins gave his approval of the planned murder of Billy Anders.

OVERT ACT ELEVEN

On or about June 3, 2006, during an Aryan Brotherhood meeting concerning the Billy Anders murder attended by CW-1 and UC-1, Owen Puckett, Jr., called Rebecca Lynn Puckett and asked her for information regarding Billy Anders. Rebecca Lynn Puckett provided Owen Puckett, Jr., with Billy Anders' address and telephone information.

OVERT ACT TWELVE

On or about August 26, 2006, an Aryan Brotherhood meeting was held in New Mexico specifically concerning the Billy Anders murder plot. In attendance were CW-1, UC-1, Robert Guyton Cook, and Samuel Zachary Arrington. Robert Guyton Cook stated that he supported the Billy Anders murder and took charge of the meeting and murder plan. During the meeting, Robert Guyton Cook offered UC-1 a safe-house and transportation to assist in the murder plot.

OVERT ACT THIRTEEN

On or about September 30, 2006, Samuel Zachary Arrington supported the Billy Anders murder plot by offering UC-1 a place to hide after carrying out the murder.

All in violation of 18 U.S.C. § 1959(a)(5).

COUNT 2

Conspiracy to Commit Assault Resulting in Serious Bodily Injury

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

BACKGROUND

24. Beginning on or about July 27, 2005, Owen Puckett, Jr., and Robert Lewis began to have differences related to the leadership and operation of the Aryan Brotherhood in New Mexico. Because of Robert Lewis' refusal to follow Owen Puckett, Jr.'s leadership and refusal to carry out a direct command, Owen Puckett Jr., wanted Robert Lewis to be killed. Since Owen Puckett, Jr., was to be released from prison soon, a decision was reached between he, Kevin Parmentier, and Denny Brewer not to kill Robert Lewis to avoid Owen Puckett Jr., being exposed to a longer prison sentence. On October 1, 2005, inside the Guadalupe County Correctional Facility, Santa Rosa, New Mexico, Michael Tanner assaulted Robert Lewis, resulting in injuries to Robert Lewis, to include a broken jaw.

Beginning on or about September 30, 2005, and continuing up to on or about October 1, 2005, in Guadalupe County, in the District of New Mexico, 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 positions in the Aryan Brotherhood, an enterprise engaged in

racketeering activity, the defendants, **OWEN PUCKETT, JR., a/k/a "Outlaw," KEVIN PARMENTIER, a/k/a "Evil," and MICHAEL TANNER**, and others known and unknown to the grand jury, did unlawfully, knowingly, and intentionally conspire to commit an assault resulting in serious bodily injury against Robert Lewis, in violation of N.M.S.A. 1978, Sections 30-3-5 and 30-28-2.

25. To further the conspiracy and to effect the objects thereof, the co-conspirators committed overt acts including the following within the State and District of New Mexico, and elsewhere:

OVERT ACT ONE

On September 30, 2005, Aryan Brotherhood in New Mexico leader Owen Puckett, Jr., met with Denny Brewer and Kevin Parmentier to plan an Aryan Brotherhood action against Robert Lewis.

OVERT ACT TWO

On October 1, 2005, the day of the attack, Owen Puckett Jr., directed Robert Lewis to the prison yard where Owen Puckett Jr., knew the attack would take place.

OVERT ACT THREE

On October 1, 2005, at the direction of Owen Puckett, Jr., Michael Tanner assaulted Robert Lewis in the prison yard, inside the Guadalupe County Correctional Facility, located in Santa Rosa, New Mexico.

OVERT ACT FOUR

The assault perpetrated by Michael Tanner resulted in injuries to Robert Lewis, including a broken jaw. Michael Tanner carried out the assault to raise his status among the Aryan Brotherhood.

All in violation of 18 U.S.C. § 1959(a)(6).

COUNT 3

Felon in Possession of a Firearm

On or about the 2nd day of June, 2006, in Eddy County, in the State and District of New Mexico, the defendant, **REBECCA LYNN PUCKETT, a/k/a "Becca," a/k/a "Rebecca Henley," a/k/a "Rebecca Campos," a/k/a "Rebecca Merrill," a/k/a "Rebecca Ringener,"** a person who had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, that is:

- a. 8 counts of Forgery, case number CR-99-163, convicted on July 19, 1999, in the Twelfth Judicial District, County of Otero, New Mexico;
- b. 5 counts of Forgery, case number CR-01-482 convicted on December 10, 2001, in the Twelfth Judicial District, County of Otero, New Mexico;

did knowingly possess in and affecting commerce, a firearm, that is a Remington Model 31L, 16 gauge shotgun, bearing Serial Number 579625, 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 4

Felon in Possession of a Firearm

On or about the 3rd day of June 2006, in Dona Ana County, in the State and District of New Mexico, the defendant, **OWEN PUCKETT, JR., a/k/a "Outlaw,"** a person who had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, that is:

- a. Two Counts of Burglary, case number CR-96-216, convicted on August 12, 1996, in the Fifth Judicial District Court, Eddy County, New Mexico;

- b. Battery Upon a Police Officer, case number CR-2001-230-JWF, convicted on December 27, 2001, in the Fifth Judicial District Court, Eddy County, New Mexico;
- c. Aggravated Burglary, case number CR-2001-229-JWF, convicted on December 27, 2001, in the Fifth Judicial District Court, Eddy County, New Mexico;
- d. Residential Burglary and Tampering With Evidence, case number CR-2001-228-JWF, convicted on December 27, 2001, in the Fifth Judicial District Court, Eddy County, New Mexico;
- e. Escape from Jail, case number CR-2001-334-JWF, convicted on December 27, 2001, in the Fifth Judicial District Court, Eddy County, New Mexico.

did knowingly possess in and affecting commerce, a firearm, that is a Remington model 31L, 16 gauge shotgun, bearing Serial Number 579625, which had been shipped and transported in interstate and foreign commerce.

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

COUNT 5

Felon in Possession of a Firearm

On or about the 26th day of June, 2006, in Eddy County, in the State and District of New Mexico, the defendant, **OWEN PUCKETT, JR., a/k/a "Outlaw,"** a person who had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, that is:

- a. Two Counts of Burglary, case number CR-96-216, convicted on August 12, 1996, in the Fifth Judicial District Court, Eddy County, New Mexico;
- b. Battery Upon a Police Officer, case number CR-2001-230-JWF, convicted on December 27, 2001, in the Fifth Judicial District Court, Eddy County, New Mexico;
- c. Aggravated Burglary, case number CR-2001-229-JWF, convicted on December 27, 2001, in the Fifth Judicial District Court, Eddy County, New Mexico;
- d. Residential Burglary and Tampering With Evidence, case number CR-2001-228-JWF, convicted on December 27, 2001, in the Fifth Judicial District Court, Eddy County, New Mexico;
- e. Escape from Jail, case number CR-2001-334-JWF, convicted on December 27, 2001, in the Fifth Judicial District Court, Eddy County, New Mexico.

did knowingly possess in and affecting commerce a firearm, that is, a Ruger, Model Mark II, .22 caliber pistol, bearing Serial Number 219-37761, which had been shipped and transported in interstate and foreign commerce.

In violation of Title 18, U.S.C. §§ 922(g)(1) and 924(e).

COUNT 6

Felon in Possession of a Firearm

On or about the 29th day of August 2006, in Dona Ana County, in the State and District of New Mexico, the defendant, **JASON LEE HANKINS, a/k/a "Trooper,"** a person who had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, that is:

- a. Burglary of a Habitation, Criminal Cause No. 10917, convicted on January 17, 1992, in the 43rd Judicial District Court, County of Parker, State of Texas;
- b. Burglary of a Habitation, Criminal Case No. 0562859W, convicted on October 28, 1994, in the Criminal District Court Number One, County of Tarrant, State of Texas;
- c. Possession of Methamphetamine, Criminal Case No. 0554918D, convicted on October 28, 1994, in the Criminal District Court Number One, County of Tarrant, State of Texas;

did knowingly possess in and affecting commerce a firearm, that is, a Jennings Model J22, .22 caliber pistol, bearing serial number 658681, 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).

A TRUE BILL:

FOREPERSON OF THE GRAND JURY

LARRY GOMEZ
Acting United States Attorney

_____ 06/28/07 3:20pm