

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

DEC -6 2011

JAMES W. MCCORMACK, CLERK
By: [Signature]
DEP. CLERK

UNITED STATES OF AMERICA)	
)	No. 4:11CR00254 JMM
vs.)	
)	21 U.S.C. § 846
DURRELL ALEXANDER HILL and)	21 U.S.C. § 841(a)(1) and (b)(1)(D)
LABRONS DOMINIQUE ELLINGTON)	18 U.S.C. § 922(g)(1)
)	18 U.S.C. § 924(c)(1)(A)
)	18 U.S.C. § 924(o)
)	18 U.S.C. § 2

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT 1

Beginning sometime before and continuing through May 24, 2011, in the Eastern District of Arkansas, the defendants,

DURRELL ALEXANDER HILL and
LABRONS DOMINIQUE ELLINGTON

knowingly and intentionally conspired and agreed with each other and with persons known and unknown to the Grand Jury, to possess with intent to distribute less than 50 kilograms of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

All in violation of Title 21, United States Code, Section 846.

COUNT 2

On or about May 24, 2011, in the Eastern District of Arkansas, the defendants,

DURRELL ALEXANDER HILL and
LABRONS DOMINIQUE ELLINGTON

aiding and abetting one another, knowingly and intentionally possessed with intent to distribute less than 50 kilograms of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

COUNT 3

On or about May 24, 2011, in the Eastern District of Arkansas, the defendants,

DURRELL ALEXANDER HILL and
LABRONS DOMINIQUE ELLINGTON

aided and abetted one another in the possession of a firearm in furtherance of a drug trafficking crime prosecutable in a court of the United States, that is, conspiracy to possess with intent to distribute, and possessing with intent to distribute less than 50 kilograms of marijuana, a Schedule I controlled substance, as set forth in Counts 1 and 2 of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A) and 2.

COUNT 4

A. BACKGROUND

1. It is pertinent to this Indictment that prior to May 24, 2011, the defendant, LABRONS DOMINIQUE ELLINGTON was engaged in the business of trafficking in illegal controlled substances, including, but not limited to, marijuana.

2. DURRELL ALEXANDER HILL provided protection for the defendant, LABRONS DOMINIQUE ELLINGTON, during the trafficking of the illegal controlled substances.

B. AGREEMENT

On or about May 24, 2011, in the Eastern District of Arkansas, the defendants,

DURRELL ALEXANDER HILL and

LABRONS DOMINIQUE ELLINGTON

knowingly and intentionally conspired with one another to knowingly possess a firearm in furtherance of a drug trafficking crime prosecutable in a court of the United States, as charged in 3 of this Indictment.

C. MEANS AND MANNER

1. It was part of the conspiracy for LABRONS DOMINIQUE ELLINGTON to sell a quantity of marijuana to the victim, C.E, on or about May 24, 2011.

2. During the course of the drug transaction referenced in the preceding paragraph, DURRELL ALEXANDER HILL was to possess a handgun, thereby providing protection for LABRONS DOMINIQUE ELLINGTON.

3. During the course of the drug transaction referenced in the two preceding paragraphs, DURRELL ALEXANDER HILL possessed a handgun, which he brought with him to the drug transaction.

4. During the course of the drug transaction referenced in the three preceding paragraphs, DURRELL ALEXANDER HILL shot and killed the victim, C.E.

D. OVERT ACTS

1. On or about May 23, 2011, LABRONS DOMINIQUE ELLINGTON and DURRELL ALEXANDER HILL met for the purpose of engaging in the sale of a controlled substance to the victim, C.E.

2. On or about May 24, 2011, LABRONS DOMINIQUE ELLINGTON drove with DURRELL ALEXANDER HILL to a residence specified by the victim, C.E., for the purpose of selling C.E. a quantity of marijuana.

3. On or about May 24, 2011, C.E. entered the back seat of the vehicle of LABRONS DOMINIQUE ELLINGTON to conduct the drug transaction.

4. On or about May 24, 2011, during the course of the drug transaction, DURRELL ALEXANDER HILL discharged his handgun into the body and head of C.E. causing the death of C.E.

All in violation of Title 18, United States Code, Section 924(o).

COUNT 5

A. Prior to May 24, 2011, in the Eastern District of Arkansas, the defendant,

DURRELL ALEXANDER HILL

had previously been convicted as follows:

1. In Pulaski County Circuit Court for possession of firearm by certain prohibited persons, in criminal case CR 2009 001490;
2. In Pulaski County Circuit Court for three counts of theft by receiving, in criminal case CR 2008 000873; and
3. In Pulaski County Circuit Court for theft by receiving, in criminal case CR 2009 001579.

B. The crimes set forth in paragraph A above were punishable by a term of imprisonment exceeding one year.

C. On or about May 24, 2011, in the Eastern District of Arkansas,

DURRELL ALEXANDER HILL

did knowingly possess ammunition in and affecting commerce, to wit, two (2) rounds of .40 caliber Winchester brand ammunition, four (4) rounds of .40 caliber Federal brand

ammunition, and eight (8) rounds of .40 caliber CCI brand (Blazer) ammunition, thereby violating Title 18, United States Code, Section 922(g)(1).

[End of Text. Signature page attached.]