

# Department of Justice

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### **WEEK IN REVIEW – SOUTH BEND**

South Bend, Indiana- The United States Attorney's Office announced:

Marvin Robinson, 62, of Mishawaka, Indiana, pled guilty before Magistrate Judge Christopher Nuechterlein to count one of an Indictment charging him with distribution of child pornography. Sentencing has been set for 11/17/11. These charges were filed as the result of an investigation by the U.S. Immigration and Custom Office of Homeland Security Investigations. This case is being prosecuted by Assistant United States Attorney John Maciejczyk.

Zachary Huenerkopf, 26, of South Bend, Indiana, pled guilty before Magistrate Judge Christopher Nuechterlein to counts two and three of an Indictment charging him with possession of a firearm in furtherance of a drug trafficking crime and being a felon in possession of a firearm. Sentencing has been set for 11/17/11. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case is being prosecuted by Assistant United States Attorney Donald Schmid.

Michelle Rosner, 32, of Michigan City, Indiana, was sentenced by Judge Jon DeGuilio to 12 months and 1 day imprisonment and 3 years of supervised release after pleading guilty to count two of an Indictment charging her with distribution of crack cocaine. This case was the result of an investigation by the Drug Enforcement Administration. This case was prosecuted by Assistant United States Attorney Frank Schaffer.

William Sheperd, 21, of Mishawaka, Indiana, was sentenced by Judge Robert Miller, Jr. to 30 months imprisonment and 5 years of supervised release after pleading guilty to count one of an Indictment charging him with possession of child pornography. This case was the result of an investigation by the U.S. Immigration and Custom Office of Homeland Security Investigations, the Indiana State Police and the Baltimore, Maryland County Police. This case was prosecuted by Assistant United States Attorney John Maciejczyk.

Bruce Davis, 19, of Goshen, Indiana, was sentenced by Judge Jon DeGuilio to 24 months imprisonment and 3 years of supervised release after pleading guilty to count two of an Indictment charging him with possession of stolen firearms. This case was the result of an

investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case was prosecuted by Assistant United States Attorney Donald Schmid.

Marva Bernard, 72, of Gary, Indiana, was sentenced by Judge Jon DeGuilio to 12 months and 1 day imprisonment and 3 years of supervised release after pleading guilty to count one of an Indictment charging her with health care billing fraud. Bernard was ordered to pay \$606,135.55 in restitution. These charges were filed as a result of an investigation by the State of Indiana, Office of Attorney General, Medicaid Fraud Control Unit and the Federal Bureau of Investigation. This case was prosecuted by Assistant United States Attorney Donald J. Schmid.

Bernard Ellis, 48, of Chicago, Illinois, was resentenced this week by Judge Robert Miller, Jr. to forty years imprisonment, the same sentence originally imposed, after the 7<sup>TH</sup> Circuit Court of Appeals remanded the case back to the Northern District for reconsideration.

Ellis was the number 2 person in the Gangster Disciples (with the title "Chief Enforcer"). He used several straw purchasers from the Elkhart, Indiana area to purchase firearms from 2003 through May 2005, including two AK-47 assault rifles (one with a high capacity magazine) and six 9mm handguns, that he took to Chicago for his own use and the use of his violent street gang. His criminal history was long and serious, involving convictions for violent crimes and other criminal acts essentially unbroken since 1983.

On November 10, 2005, a grand jury in South Bend, Indiana, returned a nine-count indictment against Bernard Ellis charging him with five counts of making a false and fictitious written statement to a licensed firearms dealer and four counts of being a felon in possession of a firearm. Ellis' jury trial began July 22, 2008 and a guilty verdict as to all nine counts was returned on July 24, 2008. Bernard Ellis was sentenced to the following imprisonment terms: 480 months on each of counts 3,5,7, and 9; 120 months on each of counts 1,2,4,6, and 8, with all terms to run concurrently to each other and with any other undischarged term of imprisonment. The sentence was to be followed by a 5-year supervised release term.

This case was the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives and the Project Disarm Task Force. This case was prosecuted by Assistant United States Attorney Donald Schmid.

The specific sentence in each case to be imposed upon conviction will be determined by the judge after a consideration of federal sentencing statutes and the Federal Sentencing Guidelines.