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FEDERAL GRAND JURY IN SOUTH BEND RETURNS INDICTMENTS

South Bend, IN—The United States Attorney's Office announced that a Grand Jury sitting in South Bend, Indiana, returned the following Indictments on September 14, 2011:

Justin E. Kemble, 27, of South Bend, Indiana, was charged in a three-count Indictment with one count possession of a firearm with an altered serial number; one count threat of retaliation against a witness; and one count communication of a threat transmitted in interstate commerce. These charges were filed as a result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case has been assigned to and will be prosecuted by Assistant United States Attorney Donald J. Schmid.

Phillip Dewayne Nelson, 34, of South Bend, Indiana, was charged in a one-count Indictment with being a felon in possession of a firearm. These charges were filed as a result of an investigation by the South Bend Police Department and Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case has been assigned to and will be prosecuted by Assistant United States Attorney Donald J. Schmid.

Kenneth E. Wainscott, d/b/a Car Masters, LLC, 57, of Plymouth, Indiana, was charged in a five-count Indictment with five counts structuring to evade reporting requirements under 31 USC § 5324(a)(3). These charges were filed as a result of an investigation by the Internal Revenue Service Criminal Investigations. This case has been assigned to and will be prosecuted by Assistant United States Attorney Donald J. Schmid.

Carlos Flores, 44, of Bell, California, was charged in a one-count Indictment with being an alien who had previously been deported and removed subsequent to a conviction for an aggravated felony, illegally re-entered the United States without authority. These charges were filed as a result of an investigation by the Bureau of Immigration and Customs Enforcement. This case has been assigned to and will be prosecuted by Assistant United States Attorney John M. Maciejczyk.

Patrick R. Oszuscik, 28, of Trail Creek, Indiana, was charged in a four-count Indictment with three counts of distributing child pornography and one count of possession of child pornography. These charges were filed as a result of an investigation by the Bureau of Immigration and Customs Enforcement and the Indianapolis Metropolitan Police Department. This case has been assigned to and will be prosecuted by Assistant United States Attorney John M. Maciejczyk.

Christopher Blackmon, 39, of South Bend, Indiana, was charged in a one-count Indictment with the aggravated bank robbery of the Notre Dame Credit Union on Portage Avenue in South Bend, Indiana on August 20, 2011. These charges were filed as a result of an investigation by the Federal Bureau of Investigation and the South Bend Police Department. The case has been assigned to and will be prosecuted by Assistant United States Attorney Frank E. Schaffer.

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.

The United States Attorney's Office emphasized that an Indictment is merely an allegation and that all persons charged are presumed innocent until and unless proven guilty in court.