



# Department of Justice

## United States Attorney David Capp Northern District of Indiana

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Fort Wayne, IN 46802-3489

FOR IMMEDIATE RELEASE

March 28, 2012

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### FEDERAL GRAND JURY IN FORT WAYNE RETURNS INDICTMENTS

Fort Wayne, IN—The United States Attorney's Office announced that a Grand Jury sitting in Fort Wayne, Indiana, returned the following Indictments on March 28, 2012:

Alfred Alcaraz, 32, of Tucson, Arizona, is charged in a single count Superseding Indictment with conspiracy to possess with intent to distribute a controlled substance from on or about January 2009, up to and including on or about December 6, 2010. This charge was filed as the result of an investigation by the Drug Enforcement Administration, Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Pulaski County Sheriff's Department, Missouri. This case has been assigned to and will be prosecuted by Assistant United States Attorney Lesley Miller Lowery.

Jason D. Davis, 24, of Fort Wayne, Indiana, is charged in a single count Indictment with being a felon in possession of a firearm on or about March 1, 2012. The Indictment also seeks for the forfeiture of a firearm. This charge was filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Fort Wayne Police Department. This case has been assigned to and will be prosecuted by Assistant United States Attorney Lesley Miller Lowery.

James E. McClurg, 46, and Jennifer E. McClurg, 43, both of Fort Wayne, Indiana, are charged in a four count Superseding Indictment with manufacturing and possession with the intent to distribute a controlled substance from on or about June 2010 to on or about February 9, 2012, manufacturing a controlled substance from on or about May 2011 to on or about February 9, 2012, maintaining a residence for purpose of possession with the intent to distribute a controlled substance from on or about June 2010 to on or about February 9, 2012 and possession with intent to distribute a controlled substance on or about February 9, 2012. The Superseding Indictment also seeks for the forfeiture of a motorcycle. These charges were filed as the result of an investigation by the Drug Enforcement Administration, Allen County Police Department and the Indiana State Police. This case has been assigned to and will be prosecuted by Assistant United States Attorney Lovita Morris King.

Rene C. Rivera, 43, and Rachel L. McMillan, 39, both of Hamilton, Indiana, are charged in a three count Indictment. Rivera and McMillan are charged with conspiracy to possess with intent to distribute controlled substances from on or about February 8, 2012, and continuing to on or about February 29, 2012. Rivera is also charged with possession with intent to distribute controlled substances on or about February 24, 2012. McMillan is also charged with attempt to possess with intent to distribute controlled substances from on or about February 28, 2012, and continuing to on

or about February 29, 2012. These charges were filed as the result of an investigation by the Drug Enforcement Administration, Indiana State Police, Fort Wayne Police Department, IMAGE Drug Task Force, and the Steuben County Sheriff's Department. This case has been assigned to and will be prosecuted by Assistant United States Attorney Anthony W. Geller.

Aaron Whitacre, 31, of Decatur, Indiana, is charged in a two count Indictment with possession of a firearm and ammunition by a domestic batterer on or about February 21, and February 22, 2012. The Indictment also seeks for the forfeiture of firearms, ammunition and other items. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Decatur Police Department. This case has been assigned to and will be prosecuted by Assistant United States Attorney Lesley Miller Lowery.

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.

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