



**COUNT ONE**

(Conducting a Racketeering Enterprise)

The Grand Jury charges:

**THE ENTERPRISE**

1. At various times relevant to this Indictment,

**RAYMOND EDDIE HAWK**

**THOMAS GRANT WILLIAMS**

**JAMES ALFRED SISK**

**ERIC SCOTT WILLIAMS**

the defendants herein, and others known and unknown, including H-1 Auto, later known as A Automotive, an automobile recycling and salvage business located in Newport, Tennessee, were members and associates of an enterprise (hereinafter the “Hawk Organization”) where members and associates engaged in illegal activity, to include operation of a chop shop, altering identification numbers on motor vehicles and motor vehicle parts, trafficking in motor vehicles and motor vehicle parts with altered identification numbers, devising and executing schemes to defraud insurance companies involving claims for purportedly stolen vehicles, and unlawfully distributing controlled substances, and which operated principally in Cocke County, Tennessee, in the Eastern District of Tennessee.

2. The Hawk Organization, including its leadership, members, and associates, constituted an “enterprise,” as defined by Title 18, United States Code, Section 1961(4) (hereafter “enterprise”), that is, a group of individuals associated in fact. The enterprise constituted an ongoing

organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

3. This enterprise was engaged in, and its activities affected, interstate and foreign commerce.

#### **PURPOSES OF THE ENTERPRISE**

4. The purpose of the enterprise included the following:

a. Enriching the members and associates of the enterprise through, among other things, the operation of a chop shop, transporting stolen motor vehicles across state lines and receiving such stolen vehicles, transporting stolen property across state lines and receiving such stolen property, altering identification numbers on motor vehicles and motor vehicle parts, trafficking in motor vehicles and motor vehicle parts with altered identification numbers, devising and executing schemes to defraud insurance companies involving claims for purportedly stolen vehicles, and unlawfully distributing controlled substances.

b. Preserving, protecting and promoting the enterprise through the use of fear and intimidation.

c. Promoting and enhancing the enterprise and its members' and associates' activities.

#### **ROLES OF THE DEFENDANTS**

5. The defendants participated in the operation and management of the enterprise. In general, the Hawk Organization was a coalition of persons involved in the operation of a chop shop and motor vehicle thefts and related activities acting under the direction of RAYMOND EDDIE HAWK and THOMAS GRANT WILLIAMS. HAWK and WILLIAMS would obtain salvage motor

vehicles from salvage dealers, usually late model pickup trucks and sport utility vehicles (SUVs), and then direct others to steal or participate in stealing vehicles matching the salvage vehicles.

a. Defendant RAYMOND EDDIE HAWK, also known as “Ray,” was a leader of the enterprise who directed other members of the enterprise in carrying out unlawful and other activities in furtherance of the conduct of the enterprises’ affairs. RAYMOND EDDIE HAWK owned and controlled the business H-1 Auto, later known as A Automotive, located at 120 Willis Road, Newport, Tennessee. At all relevant times, defendant RAYMOND EDDIE HAWK was a member of the enterprise and engaged in acts including, but not limited to, operation of a chop shop, interstate transportation of stolen motor vehicles and receipt of such vehicles, trafficking in motor vehicles and motor vehicle parts with altered identification numbers, mail fraud, and unlawful distribution of controlled substances.

b. Defendant THOMAS GRANT WILLIAMS, also known as “Grant,” was a leader of the enterprise who directed other members of the enterprise in carrying out unlawful and other activities in furtherance of the conduct of the enterprise’s affairs. At all relevant times, defendant THOMAS GRANT WILLIAMS was a member of the enterprise and engaged in acts including, but not limited to, operation of a chop shop, interstate transportation of stolen motor vehicles and receipt of such vehicles, trafficking in motor vehicles and motor vehicle parts with altered identification numbers, mail fraud, unlawful distribution of controlled substances, and obstruction of justice.

c. Under the direction of the leaders of the enterprise, the defendants, JAMES ALFRED SISK, also known as “Red” and “Junior,” and ERIC SCOTT WILLIAMS participated in unlawful and other activities in furtherance of the conduct of the enterprise’s affairs.

- (1) Defendant JAMES ALFRED SISK was a member of the enterprise acting under the direction of RAYMOND EDDIE HAWK and THOMAS GRANT WILLIAMS and engaged in acts including, but not limited to, operation of a chop shop, interstate transportation of stolen motor vehicles and receipt of such vehicles, trafficking in motor vehicles and motor vehicle parts with altered identification numbers, mail fraud, and unlawful distribution of controlled substances.
- (2) Defendant ERIC SCOTT WILLIAMS, the brother of THOMAS GRANT WILLIAMS, was a member of the enterprise acting under the direction of RAYMOND EDDIE HAWK and THOMAS GRANT WILLIAMS and engaged in acts including, but not limited to, operation of a chop shop, interstate transportation of stolen motor vehicles and receipt of such vehicles, trafficking in motor vehicles and motor vehicle parts with altered identification numbers, mail fraud, and unlawful distribution of controlled substances.

**MEANS AND METHODS OF THE ENTERPRISE**

6. Among the means and methods by which the defendants and their associates conducted and participated in the conduct of the affairs of the enterprise were the following:
  - a. Members of the enterprise and their associates would steal motor vehicles; disassemble the stolen motor vehicles; alter, obliterate and tamper with identification numbers on the stolen motor vehicles and motor vehicle parts; construct motor vehicles from parts of stolen motor vehicles bearing altered or obliterated identification numbers; and sell and dispose of motor vehicles and motor vehicle parts bearing altered identification numbers.

b. Members of the enterprise and their associates would devise schemes to defraud insurance companies on claims for thefts of motor vehicles by arranging with the owners of motor vehicles to take the motor vehicle with the owner then filing a false claim for the theft of the motor vehicle and the members of the enterprise receiving the purportedly stolen motor vehicle to dispose of as described in subparagraph (a) above.

c. Members of the enterprise and their associates would distribute and conspire to unlawfully distribute controlled substances, to include cocaine and marijuana.

d. Members of the enterprise and their associates promoted a climate of fear through violence and threats of violence.

e. Members of the enterprise and their associates used persons within the local law enforcement community to aid in the concealment of the enterprise's operation and to protect the enterprise's criminal operations.

#### **THE RACKETEERING VIOLATION**

6. From in or about 2000 through in or about April 1, 2009, with both dates being approximate and inclusive, in the Eastern District of Tennessee and elsewhere, the defendants, RAYMOND EDDIE HAWK, THOMAS GRANT WILLIAMS, JAMES ALFRED SISK, and ERIC SCOTT WILLIAMS, together and with others known and unknown, being persons employed by and associated with the enterprise described above, which was an enterprise engaged in, and the activities of which affected, interstate commerce, unlawfully, and knowingly conducted and participated, directly and indirectly, in the conduct of the affairs of that enterprise through a pattern of racketeering activity, that is, through the commission of the following Racketeering Acts set forth below.

## THE PATTERN OF RACKETEERING ACTIVITY

7. The pattern of racketeering activity as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisted of the following acts:

8. Racketeering Act One - Mail Fraud

a. Beginning on or about March 23, 2003, and continuing until on or about June 13, 2003, within the Eastern District of Tennessee and elsewhere, the defendants, ERIC SCOTT WILLIAMS, RAYMONDEDDIE HAWK, and others unknown to the grand jury, aided and abetted by and aiding and abetting others unknown to the grand jury, devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises from Progressive Insurance Company ("Progressive"), well knowing at the time that the pretenses, representations and promises would be and were false when made.

b. Said scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises so devised and intended to be devised by the defendants was in substance as follows:

(1) Defendant ERIC SCOTT WILLIAMS had an insurance policy with Progressive insuring against theft and other losses a 1999 Chevrolet truck reportedly owned by ERIC SCOTT WILLIAMS.

(2) Defendant ERIC SCOTT WILLIAMS reported the truck stolen to the Bristol, Tennessee Police Department on or about March 23, 2003, and subsequently filed a claim for the reported theft with Progressive.

(3) In response to defendant ERIC SCOTT WILLIAMS' representations that the truck had been rebuilt from a salvage vehicle, Progressive requested, through a letter sent by U.S. mail on April 15, 2003, that WILLIAMS produce documents substantiating his claim that the truck had been rebuilt.

(4) Defendant ERIC SCOTT WILLIAMS then provided false, fictitious and fraudulent documents to Progressive purporting to be invoices and receipts for parts purchased to rebuild the truck, to include an invoice from RAYMOND EDDIE HAWK, which WILLIAMS then knew to be false, fictitious and fraudulent.

(5) As a result of the false representations and documents, Progressive paid \$12, 611.25 to satisfy the claim.

c. On or about April 15, 2003, in the Eastern District of Tennessee and elsewhere, the defendants, ERIC SCOTT WILLIAMS, RAYMOND EDDIE HAWK, and others known and unknown, for the purpose of executing the aforesaid scheme and artifice to defraud and attempting to do so, did knowingly cause to be delivered by U.S. mail according to the directions thereon an envelope containing a letter from Progressive Insurance Company to ERIC SCOTT WILLIAMS in Newport, Tennessee, requesting that he provide documentation to substantiate his claim that the 1999 Chevrolet truck had been rebuilt, or words to that effect, all in violation of Title 18, United States Code, Sections 1341 and 2.

#### 9. Racketeering Act Two - Obstruction of Justice

On or about December 15, 2003, in the Eastern District of Tennessee, the defendant, THOMAS GRANT WILLIAMS, along with others known and unknown, did corruptly conceal an object, that is, a Chevrolet Blazer truck, with the intent to impair its integrity or availability for use

in and to obstruct, influence, and impede an official proceeding, that is, the seizure and forfeiture of said truck, in violation of Title 18, United States Code, Section 1512(c).

10. Racketeering Act Three - Receipt and Possession of Interstate Stolen Motor Vehicle and Possession of Motor Vehicle Parts Bearing Altered Identification Numbers With Intent to Sell or Dispose

The defendants named below committed the following acts, either of which alone constitutes Racketeering Act Three:

a. From on or about December 22, 2003 to on February 11, 2004, in the Eastern District of Tennessee, RAYMOND EDDIE HAWK, along with others known and unknown, did receive, possess, conceal, store, barter, sell and dispose of a stolen motor vehicle, that is, a 2003 Chevrolet Avalanche truck, which vehicle had crossed a State boundary after being stolen, the vehicle having been stolen on or about December 22, 2003, in Asheville, North Carolina, and subsequently brought into the State of Tennessee, knowing the same to have been stolen, in violation of Title 18, United States Code, Sections 2313 and 2.

b. On or about February 11, 2004 in the Eastern District of Tennessee, RAYMOND EDDIE HAWK, along with others known and unknown, did knowingly possess and obtain control of, with intent to sell and otherwise dispose of, motor vehicle parts, that is, motor vehicle parts from a 2003 Chevrolet Avalanche truck, knowing that identification numbers of said vehicle and motor vehicle parts had been unlawfully removed, obliterated, tampered with and altered, in violation of Title 18, United States Code, Sections 2321 and 2.

11. Racketeering Act Four - Interstate Transportation of Stolen Motor Vehicle and Arson

The defendant named below committed the following acts, either of which alone constitutes Racketeering Act Four:

a. On or about May 12, 2005, in the Eastern District of Tennessee and elsewhere, the defendant, GRANT THOMAS WILLIAMS, along with others unknown, did unlawfully transport in interstate commerce a stolen motor vehicle, that is, a 1997 Chevrolet Suburban truck, from the State of Tennessee to the State of North Carolina, knowing the same to be stolen, in violation of Title 18, United States Code, Sections 2312 and 2.

b. On or about May 12, 2005, the defendant, GRANT THOMAS WILLIAMS, in the Eastern District of Tennessee and elsewhere, along with others unknown, did commit an arson, that is, the defendant and others unknown did wantonly and willfully set fire and burn and aid, counsel and procure the burning of personal property, that is, a 1997 Chevrolet Suburban truck, with intent to injure and prejudice the owner of the property, in violation of North Carolina General Statutes Section 14-66.

12. Racketeering Act Five - Possession of Motor Vehicle Parts Bearing Altered Identification Numbers With Intent to Sell or Dispose

On or about June 15, 2005, in the Eastern District of Tennessee, the defendant, THOMAS GRANT WILLIAMS, along with others known and unknown, did knowingly possess and obtain control of, with intent to sell and otherwise dispose of, a motor vehicle part, that is, a GMC V8 Vortec engine, knowing that the identification numbers of said motor vehicle part had been unlawfully removed, obliterated, tampered with and altered, in violation of Title 18, United States Code, Sections 2321 and 2.

13. Racketeering Act Six - Interstate Transportation of Stolen Motor Vehicle and Stolen Property and Possession of Motor Vehicle Parts Bearing Altered Identification Numbers With Intent to Sell or Dispose

The defendants named below committed the following acts, any one of which alone constitutes Racketeering Act Six:

a. On or about January 22, 2006, in the Eastern District of Tennessee and elsewhere, the defendant, ERIC SCOTT WILLIAMS, along with others unknown, did unlawfully transport in interstate commerce a stolen motor vehicle, that is, a 2003 Chevrolet 3500 truck, from the States of Louisiana, Mississippi, and Alabama to the State of Tennessee, knowing the same to be stolen, in violation of Title 18, United States Code, Sections 2312 and 2.

b. On or about January 22, 2006, in the Eastern District of Tennessee and elsewhere, the defendant, ERIC SCOTT WILLIAMS, along with others unknown, did unlawfully transport in interstate commerce from the State of Louisiana to the State of Tennessee, stolen goods, wares and merchandise, that is, a Caterpillar Model 420D loader backhoe, of the value of \$5,000 or more, knowing the same to have been stolen, in violation of Title 18, United States Code, Sections 2314 and 2.

c. Between on or about October 10, 2005, and on or about January 22, 2006, in the Eastern District of Tennessee and elsewhere, the defendants, RAYMOND EDDIE HAWK and ERIC SCOTT WILLIAMS, along with others unknown, did knowingly possess and obtain control of, with intent to sell and otherwise dispose of, a motor vehicle, that is, a motor vehicle appearing to be a 2002 Chevrolet 3500 truck, knowing that the identification numbers of said vehicle had been unlawfully removed, obliterated, tampered with and altered, in violation of Title 18, United States Code, Sections 2321 and 2.

14. Racketeering Act Seven - Possession of Motor Vehicle Bearing Altered Identification Numbers With Intent to Sell or Dispose

Between on or about February 13, 2007 and May 10, 2007, in the Eastern District of Tennessee and elsewhere, the defendant, THOMAS GRANT WILLIAMS, along with others known and unknown, did knowingly possess and obtain control of, with intent to sell and otherwise dispose

of, a motor vehicle, that is, a motor vehicle appearing to be a 2004 GMC Sierra pickup truck, knowing that the identification numbers of said vehicle had been unlawfully removed, obliterated, tampered with and altered, in violation of Title 18, United States Code, Sections 2321 and 2.

15. Racketeering Act Eight - Interstate Transportation and Receipt of Stolen Motor Vehicle

The defendants named below committed the following acts, any one of which alone constitutes Racketeering Act Eight:

a. On or about October 2, 2007, in the Eastern District of Tennessee and elsewhere, the defendant, JAMES ALFRED SISK, along with others known and unknown, did unlawfully transport in interstate commerce a stolen motor vehicle, that is, a 2005 Chevrolet Silverado truck from the State of North Carolina to the State of Tennessee, knowing the same to be stolen, in violation of Title 18, United States Code, Sections 2312 and 2.

b. On or about October 2, 2007, in the Eastern District of Tennessee, the defendant, RAYMOND EDDIE HAWK, along with others known and unknown, did receive, possess, conceal, store, barter, sell and dispose of a stolen motor vehicle, that is, a 2005 Chevrolet Silverado truck, which vehicle had crossed a State boundary after being stolen, the vehicle having been stolen on or about October 2, 2007, in Waynesville, North Carolina, and subsequently brought into the State of Tennessee, knowing the same to have been stolen, in violation of Title 18, United States Code, Sections 2313 and 2.

16. Racketeering Act Nine - Mail Fraud and Possession of Motor Vehicle Bearing Altered Identification Numbers With Intent to Sell or Dispose

The defendants named below committed the following acts, either of which alone constitutes Racketeering Act Nine:

a.(1). Beginning on or before July 14, 2008, and continuing until on or about August 30, 2008, within the Eastern District of Tennessee and elsewhere, the defendant, RAYMOND EDDIE HAWK, along with Felicia Darlene Stewart and others unknown, devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises from State Farm Mutual Automobile Insurance Company ("State Farm"), well knowing at the time that the pretenses, representations and promises would be and were false when made.

(2). Said scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises so devised and intended to be devised by the defendants was in substance as follows:

(A). Felicia Darlene Stewart and others had caused an insurance policy with State Farm to be issued insuring against theft and other losses a 2006 Nissan Altima owned by Stewart.

(B). Stewart and others arranged for RAYMOND EDDIE HAWK and others to take the 2006 Nissan Altima.

(C). Stewart then falsely reported to State Farm that the 2006 Nissan Altima had been stolen on July 14, 2008 in Sevierville, Tennessee.

(D). As a result of the false representation that the 2006 Nissan Altima had been stolen, State Farm paid \$20,545.32 to satisfy the claim.

(3). On or about August 15, 2008, in the Eastern District of Tennessee and elsewhere, the defendant, RAYMOND EDDIE HAWK, along with Felicia Darlene Stewart and others unknown, for the purpose of executing the aforesaid scheme and artifice to defraud and attempting to do so, did knowingly cause to be delivered by U.S. mail according to the directions thereon an

envelope containing a check in the amount of \$20,545.32 from State Farm Mutual Insurance Company, Murfreesboro, Tennessee, to Lowland Credit Union, Newport, Tennessee, in payment of the false and fraudulent claim and to satisfy a loan made by Lowland Credit Union to Felicia Darlene Stewart and secured by the 2006 Nissan Altima, all in violation of Title 18, United States Code, Sections 1341 and 2.

b. From between on or about July 17, 2008, to on or about December 27, 2008, in the Eastern District of Tennessee, the defendants, RAYMOND EDDIE HAWK, THOMAS GRANT WILLIAMS, and JAMES ALFRED SISK, along with others known and unknown, did knowingly possess and obtain control of, with intent to sell and otherwise dispose of, a motor vehicle, that is, a motor vehicle appearing to be a 2005 Nissan Altima, knowing that identification numbers of said motor vehicle had been unlawfully removed, obliterated, tampered with and altered, in violation of Title 18, United States Code, Sections 2321 and 2.

17. Racketeering Act Ten - Possession of Motor Vehicle Parts Bearing Altered Identification Numbers With Intent to Sell or Dispose

On or about July 25, 2008, in the Eastern District of Tennessee, the defendant, RAYMOND EDDIE HAWK, along with others known and unknown, did knowingly possess and obtain control of, with intent to sell and otherwise dispose of, a motor vehicle part, that is, a General Motors V8 Duramax diesel engine, knowing that the identification numbers of said motor vehicle part had been unlawfully removed, obliterated, tampered with and altered, in violation of Title 18, United States Code, Sections 2321 and 2.

18. Racketeering Act Eleven - Mail Fraud

a.(1). Beginning on or before August 31, 2008, and continuing until on or about January 19, 2009, within the Eastern District of Tennessee and elsewhere, the defendants, THOMAS

GRANT WILLIAMS and JAMES ALFRED SISK, along with Brian D. Askew and others unknown, devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises from Tennessee Farmers Mutual Insurance Company (“Tennessee Farmers”), well knowing at the time that the pretenses, representations and promises would be and were false when made.

(2). Said scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises so devised and intended to be devised by the defendants was in substance as follows:

(A). Brian D. Askew had an insurance policy with Tennessee Farmers insuring against theft and other losses for a 2001 GMC Yukon sport utility vehicle owned by Askew.

(B). Brian D. Askew arranged for defendants THOMAS GRANT WILLIAMS, JAMES ALFRED SISK, and others to take the 2001 GMC Yukon.

(C). Brian D. Askew then falsely reported to Tennessee Farmers that the 2001 GMC Yukon had been stolen on October 5, 2008 in Knoxville, Tennessee.

(D). As a result of the false representation that the 2001 GMC Yukon had been stolen, Tennessee Farmers paid \$11,908.25 to satisfy the claim.

(3). On or about December 9, 2008, in the Eastern District of Tennessee and elsewhere, the defendants, THOMAS GRANT WILLIAMS, JAMES ALFRED SISK, along with Brian D. Askew and others unknown, for the purpose of executing the aforesaid scheme and artifice to defraud and attempting to do so, did knowingly cause to be delivered by U.S. mail according to the directions thereon an envelope containing a check in the amount of \$11,908.25 from Tennessee Farmers Mutual Insurance Company, Greeneville, Tennessee, to Regions Bank, Birmingham,

Alabama, in payment of the false and fraudulent claim and to satisfy a loan made by Regions Bank (previously AmSouth Bank) to Brian D. Askew and secured by the 2001 GMC Yukon, all in violation of Title 18, United States Code, Sections 1341 and 2.

19. Racketeering Act Twelve - Possession of Motor Vehicle Parts Bearing Altered Identification Numbers With Intent to Sell or Dispose

Between on or about January 5, 2008, and on or about February 4, 2009, in the Eastern District of Tennessee and elsewhere, the defendant, THOMAS GRANT WILLIAMS, along with others unknown, did knowingly possess and obtain control of, with intent to sell and otherwise dispose of, a motor vehicle, that is, a motor vehicle appearing to be a 2005 Chevrolet Silverado truck, knowing that the identification numbers of said vehicle had been unlawfully removed, obliterated, tampered with and altered, in violation of Title 18, United States Code, Sections 2321 and 2.

20. Racketeering Act Thirteen - Possession of Motor Vehicle Parts Bearing Altered Identification Numbers With Intent to Sell or Dispose

Between on or about September 13, 2008, and on or about February 4, 2009, in the Eastern District of Tennessee and elsewhere, the defendants, THOMAS GRANT WILLIAMS and ERIC SCOTT WILLIAMS, along with others unknown, did knowingly possess and obtain control of, with intent to sell and otherwise dispose of, a motor vehicle, that is, a motor vehicle appearing to be a 2004 Chevrolet Tahoe truck, knowing that the identification numbers of said vehicle had been unlawfully removed, obliterated, tampered with and altered, in violation of Title 18, United States Code, Sections 2321 and 2.

21. Racketeering Act Fourteen - Interstate Transportation of Stolen Motor Vehicle

On or about March 7, 2009, in the Eastern District of Tennessee and elsewhere, the defendant, THOMAS GRANT WILLIAMS, along with others known and unknown, did unlawfully transport in interstate commerce a stolen motor vehicle, that is, a 2003 GMC Yukon, from the State of Tennessee to the State of Virginia, knowing the same to be stolen, in violation of Title 18, United States Code, Sections 2312 and 2.

22. Racketeering Act Fifteen - Conspiracy to Distribute Controlled Substances

The defendants named below committed the following acts, either of which alone constitutes Racketeering Act Fifteen:

a. From approximately January 1, 2002, and continuing to on or about April 1, 2009, in the Eastern District of Tennessee, the defendants, RAYMOND EDDIE HAWK, THOMAS GRANT WILLIAMS, JAMES ALFRED SISK, and ERIC SCOTT WILLIAMS, knowingly and intentionally combined, conspired, confederated and agreed together and with each other, and with other persons known and unknown, to commit the following offenses against the United States, that is, the distribution and possession with the intent to distribute five hundred grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II narcotic controlled substance, in violation of Title 21, United States Code, Section 841 (a)(1), all in violation of Title 21, United States Code, Section 846 and 841(b)(1)(B).

b. From approximately January 1, 2002, and continuing to on or about April 1, 2009, in the Eastern District of Tennessee, the defendants, RAYMOND EDDIE HAWK, THOMAS GRANT WILLIAMS, JAMES ALFRED SISK, and ERIC SCOTT WILLIAMS, knowingly and intentionally combined, conspired, confederated and agreed together and with each other, and with other persons known and unknown, to commit the following offenses against the United States, that

is, the distribution and possession with the intent to distribute a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841 (a)(1), all in violation of Title 21, United States Code, Section 846 and 841(b)(1)(D).

All in violation of Title 18, United States Code, Section 1962(c).

**COUNT TWO**

(RICO Conspiracy)

The Grand Jury further charges:

1. Paragraphs 1 through 5 of Count One are hereby realleged and incorporated as if fully set forth herein.

2. From between on or about 2000 through on or about April 1, 2009, both dates being approximate and inclusive, within the Eastern District of Tennessee and elsewhere, the defendants,

**RAYMOND EDDIE HAWK**

**THOMAS GRANT WILLIAMS**

**JAMES ALFRED SISK**

**ERIC SCOTT WILLIAMS**

together with other persons known and unknown, being persons employed by and associated with the Hawk Organization, an enterprise, which engaged in, and the activities of which affected, interstate commerce, knowingly, and intentionally conspired to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of that enterprise through a pattern of racketeering activity, as that term is defined by Title 18, United States Code, Sections 1961(1) and (5). The pattern of racketeering activity through

which the defendants agreed to conduct the affairs of the enterprise consisted of the acts set forth in paragraphs 7 through 22 of Count One of this Indictment, which are incorporated as if fully set forth herein.

It was further a part of the conspiracy that the defendants agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise.

All in violation of Title 18, United States Code, Section 1962(d).

### **COUNT THREE**

From on or about 2000 and continuing to on or about April 1, 2009, in the Eastern District of Tennessee, the defendants, RAYMOND EDDIE HAWK, THOMAS GRANT WILLIAMS, JAMES ALFRED SISK, ERIC SCOTT WILLIAMS, MILBURN THOMAS WILLIAMS, ROBECCA NICOLE HAWK, CURTIS GENE REED, DARRELL KEITH BURGIN, TIMOTHY WADE CHRISMAN, DOYLE MALOY, and ANGELA DENISE BROWN, aided and abetted by and aiding and abetting each other and others known and unknown to the grand jury, did knowingly own, operate, maintain, and control a chop shop and conduct operations in a chop shop, as defined in Title 18, United States Code, Section 2322(b), in violation of Title 18, United States Code, Sections 2322(a)(1) and 2.

### **COUNT FOUR**

On or about May 12, 2005, in the Eastern District of Tennessee and elsewhere, the defendant, GRANT THOMAS WILLIAMS, aided and abetted by and aiding and abetting others unknown, did unlawfully transport in interstate commerce a stolen motor vehicle, that is, a 1997 Chevrolet Suburban truck, from the State of Tennessee to the State of North Carolina, knowing the same to be stolen, in violation of Title 18, United States Code, Sections 2312 and 2.

**COUNT FIVE**

On or about June 15, 2005, in the Eastern District of Tennessee, the defendant, THOMAS GRANT WILLIAMS, aided and abetted by and aiding and abetting others known and unknown, did knowingly possess and obtain control of, with intent to sell and otherwise dispose of, a motor vehicle part, that is, a GMC V8 Vortec engine, knowing that the identification numbers of said motor vehicle part had been unlawfully removed, obliterated, tampered with and altered, in violation of Title 18, United States Code, Sections 2321 and 2.

**COUNT SIX**

On or about January 22, 2006, in the Eastern District of Tennessee and elsewhere, the defendant, ERIC SCOTT WILLIAMS, aided and abetted by and aiding and abetting others unknown, did unlawfully transport in interstate commerce a stolen motor vehicle, that is, a 2003 Chevrolet 3500 truck, from the States of Louisiana, Mississippi, and Alabama to the State of Tennessee, knowing the same to be stolen, in violation of Title 18, United States Code, Sections 2312 and 2.

**COUNT SEVEN**

On or about January 22, 2006, in the Eastern District of Tennessee and elsewhere, the defendant, ERIC SCOTT WILLIAMS, aided and abetted by and aiding and abetting others unknown, did unlawfully transport in interstate commerce from the State of Louisiana to the State of Tennessee, stolen goods, wares and merchandise, that is, a Caterpillar Model 420D loader backhoe, of the value of \$5,000 or more, knowing the same to have been stolen, in violation of Title 18, United States Code, Sections 2314 and 2.

**COUNT EIGHT**

On or about October 10, 2005, in the Eastern District of Tennessee, the defendant, RAYMOND EDDIE HAWK, aided and abetted by and aiding and abetting others unknown, did knowingly and unlawfully tamper with, alter, remove, and obliterate the vehicle identification numbers (VIN) for a motor vehicle, to wit, a 2003 Chevrolet 3500 truck, in violation of Title 18, United States Code, Section 511.

**COUNT NINE**

Between on or about October 10, 2005, and on or about January 22, 2006, in the Eastern District of Tennessee and elsewhere, the defendants, RAYMOND EDDIE HAWK and ERIC SCOTT WILLIAMS, aided and abetted by and aiding and abetting each other and others unknown, did knowingly possess and obtain control of, with intent to sell and otherwise dispose of, a motor vehicle, that is, a motor vehicle appearing to be a 2002 Chevrolet 3500 truck, knowing that the identification numbers of said vehicle had been unlawfully removed, obliterated, tampered with and altered, in violation of Title 18, United States Code, Sections 2321 and 2.

**COUNT TEN**

Between on or about February 13, 2007 and May 10, 2007, in the Eastern District of Tennessee, the defendant, THOMAS GRANT WILLIAMS, aided and abetted by and aiding and abetting others known and unknown to the grand jury, did knowingly and unlawfully tamper with, alter, remove and obliterate identification numbers for a motor vehicle and its parts, that is, a 2004 GMC Sierra pickup truck, in violation of Title 18, United States Code, Sections 511 and 2.

**COUNT ELEVEN**

Between on or about February 13, 2007 and May 10, 2007, in the Eastern District of Tennessee and elsewhere, the defendant, THOMAS GRANT WILLIAMS, aided and abetted by and aiding and abetting each other and others known and unknown to the grand jury, did knowingly possess and obtain control of, with intent to sell and otherwise dispose of, a motor vehicle, that is, a motor vehicle appearing to be a 2004 GMC Sierra pickup truck, knowing that the identification numbers of said vehicle had been unlawfully removed, obliterated, tampered with and altered, in violation of Title 18, United States Code, Sections 2321 and 2.

**COUNT TWELVE**

On or about October 2 , 2007, in the Eastern District of Tennessee and elsewhere, the defendants, JAMES ALFRED SISK and BRENDA L. BROWN, aided and abetted by and aiding and abetting each other and others unknown, did unlawfully transport in interstate commerce a stolen motor vehicle, that is, a 2005 Chevrolet Silverado truck, from the State of North Carolina to the State of Tennessee, knowing the same to be stolen, in violation of Title 18, United States Code, Sections 2312 and 2.

**COUNT THIRTEEN**

On or about October 2, 2007, in the Eastern District of Tennessee, the defendant, RAYMOND EDDIE HAWK, aiding and abetting and aided and abetted by others known and unknown, did receive, possess, conceal, store, barter, sell and dispose of a stolen motor vehicle, that is, a 2005 Chevrolet Silverado truck, which vehicle had crossed a State boundary after being stolen, the vehicle having been stolen on or about October 2, 2007, in Waynesville, North Carolina, and

subsequently brought into the State of Tennessee, knowing the same to have been stolen, in violation of Title 18, United States Code, Sections 2313 and 2.

**COUNT FOURTEEN**

1. Beginning on or before July 14, 2008, and continuing until on or about August 30, 2008, within the Eastern District of Tennessee and elsewhere, the defendants, RAYMOND EDDIE HAWK, FELICIA DARLENE STEWART, and others unknown, aided and abetted by and aiding and abetting each other and others unknown, devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises from State Farm Mutual Automobile Insurance Company ("State Farm"), well knowing at the time that the pretenses, representations and promises would be and were false when made.

2. Said scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises so devised and intended to be devised by the defendants was in substance as follows:

a. Defendant FELICIA DARLENE STEWART and others had caused an insurance policy with State Farm to be issued insuring against theft and other losses a 2006 Nissan Altima owned by STEWART.

b. STEWART and others arranged for RAYMOND EDDIE HAWK and others to take the 2006 Nissan Altima.

c. STEWART then falsely reported to State Farm that the 2006 Nissan Altima had been stolen on July 14, 2008 in Sevierville, Tennessee.

d. As a result of the false representation that the 2006 Nissan Altima had been stolen, State Farm paid \$20,545.32 to satisfy the claim.

3. On or about August 15, 2008, in the Eastern District of Tennessee and elsewhere, the defendants, RAYMOND EDDIE HAWK and FELICIA DARLENE STEWART, for the purpose of executing the aforesaid scheme and artifice to defraud and attempting to do so, did knowingly cause to be delivered by U.S. mail according to the directions thereon an envelope containing a check in the amount of \$20,545.32 from State Farm Mutual Insurance Company, Murfreesboro, Tennessee, to Lowland Credit Union, Newport, Tennessee, in payment of the false and fraudulent claim and to satisfy a loan made by Lowland Credit Union to Felicia Darlene Stewart and secured by the 2006 Nissan Altima, all in violation of Title 18, United States Code, Sections 1341 and 2.

#### **COUNT FIFTEEN**

From between on or about July 17, 2008, to on or about December 27, 2008, in the Eastern District of Tennessee, the defendant, RAYMOND EDDIE HAWK, THOMAS GRANT WILLIAMS, and JAMES ALFRED SISK, aided and abetted by and aiding and abetting each other and others unknown, did knowingly and unlawfully tamper with, alter, remove, and obliterate the vehicle identification numbers (VIN) for a motor vehicle, to wit, a 2006 Nissan Altima, in violation of Title 18, United States Code, Section 511.

#### **COUNT SIXTEEN**

From between on or about July 17, 2008, to on or about December 27, 2008, in the Eastern District of Tennessee, the defendants, RAYMOND EDDIE HAWK, THOMAS GRANT WILLIAMS, and MILBURN THOMAS WILLIAMS, aided and abetted by and aiding and abetting others known and unknown, did knowingly possess and obtain control of, with intent to sell and

otherwise dispose of, a motor vehicle, that is, a motor vehicle appearing to be a 2005 Nissan Altima, knowing that identification numbers of said motor vehicle had been unlawfully removed, obliterated, tampered with and altered, in violation of Title 18, United States Code, Sections 2321 and 2.

**COUNT SEVENTEEN**

On or about July 25, 2008, in the Eastern District of Tennessee, the defendants, RAYMOND EDDIE HAWK and DOYLE MALOY, aided and abetted by and aiding and abetting each other and others unknown, did knowingly possess and obtain control of, with intent to sell and otherwise dispose of, a motor vehicle part, that is, a General Motors V8 Duramax diesel engine, knowing that the identification numbers of said motor vehicle part had been unlawfully removed, obliterated, tampered with and altered, in violation of Title 18, United States Code, Sections 2321 and 2.

**COUNT EIGHTEEN**

1. Beginning on or before August 31, 2008, and continuing until on or about January 19, 2009, within the Eastern District of Tennessee and elsewhere, the defendants, THOMAS GRANT WILLIAMS, JAMES ALFRED SISK, BRIAN D. ASKEW, and others unknown, aided and abetted by and aiding and abetting each other and others unknown, devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises from Tennessee Farmers Mutual Insurance Company ("Tennessee Farmers"), well knowing at the time that the pretenses, representations and promises would be and were false when made.

2. Said scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises so devised and intended to be devised by the defendants was in substance as follows:

a. BRIAN D. ASKEW had an insurance policy with Tennessee Farmers insuring against theft and other losses for a 2001 GMC Yukon sport utility vehicle owned by Askew.

b. BRIAN D. ASKEW arranged for defendants THOMAS GRANT WILLIAMS, JAMES ALFRED SISK, and others to take the 2001 GMC Yukon.

c. BRIAN D. ASKEW then falsely reported to Tennessee Farmers that the 2001 GMC Yukon had been stolen on October 5, 2008 in Knoxville, Tennessee.

d. As a result of the false representation that the 2001 GMC Yukon had been stolen, Tennessee Farmers paid \$11,908.25 to satisfy the claim.

3. On or about December 9, 2008, in the Eastern District of Tennessee and elsewhere, the defendants, THOMAS GRANT WILLIAMS, JAMES ALFRED SISK, and BRIAN D. ASKEW, aided and abetted by and aiding and abetting each other and others unknown, for the purpose of executing the aforesaid scheme and artifice to defraud and attempting to do so, did knowingly cause to be delivered by U.S. mail according to the directions thereon an envelope containing a check in the amount of \$11,908.25 from Tennessee Farmers Mutual Insurance Company, Greeneville, Tennessee, to Regions Bank, Birmingham, Alabama, in payment of the false and fraudulent claim and to satisfy a loan made by Regions Bank (previously AmSouth Bank) to Brian D. Askew and secured by the 2001 GMC Yukon, all in violation of Title 18, United States Code, Sections 1341 and

2.

**COUNT NINETEEN**

Between on or about January 5, 2008, and on or about February 4, 2009, in the Eastern District of Tennessee and elsewhere, the defendant, THOMAS GRANT WILLIAMS, aided and abetted by and aiding and abetting others unknown, did knowingly and unlawfully tamper with, alter, remove, and obliterate the vehicle identification numbers (VIN) for a motor vehicle, to wit, a 2007 Chevrolet Silverado truck, in violation of Title 18, United States Code, Section 511.

**COUNT TWENTY**

Between on or about January 5, 2008, and on or about February 4, 2009, in the Eastern District of Tennessee and elsewhere, the defendant, THOMAS GRANT WILLIAMS, aided and abetted by and aiding and abetting others unknown, did knowingly possess and obtain control of, with intent to sell and otherwise dispose of, a motor vehicle, that is, a motor vehicle appearing to be a 2005 Chevrolet Silverado truck, knowing that the identification numbers of said vehicle had been unlawfully removed, obliterated, tampered with and altered, in violation of Title 18, United States Code, Sections 2321 and 2.

**COUNT TWENTY-ONE**

Between on or about September 13, 2008, and on or about February 4, 2009, in the Eastern District of Tennessee, the defendants, THOMAS GRANT WILLIAMS, ERIC SCOTT WILLIAMS, and CURTIS GENE REED, aided and abetted by and aiding and abetting each other and others unknown, did knowingly and unlawfully tamper with, alter, remove, and obliterate the vehicle identification numbers (VIN) for a motor vehicle, to wit, a 2005 Chevrolet Tahoe truck, in violation of Title 18, United States Code, Section 511.

**COUNT TWENTY-TWO**

Between on or about September 13, 2008, and on or about February 4, 2009, in the Eastern District of Tennessee and elsewhere, the defendants, THOMAS GRANT WILLIAMS and ERIC SCOTT WILLIAMS, aided and abetted by and aiding and abetting each other and others unknown, did knowingly possess and obtain control of, with intent to sell and otherwise dispose of, a motor vehicle, that is, a motor vehicle appearing to be a 2004 Chevrolet Tahoe truck, knowing that the identification numbers of said vehicle had been unlawfully removed, obliterated, tampered with and altered, in violation of Title 18, United States Code, Sections 2321 and 2.

**COUNT TWENTY-THREE**

On or about March 7, 2009, in the Eastern District of Tennessee and elsewhere, the defendants, THOMAS GRANT WILLIAMS, TIMOTHY WADE CHRISMAN, KIMBERLY DAWN ATKINS, and JEANNIE DAWN JAMES, aided and abetted by and aiding and abetting each other and others unknown, did unlawfully transport in interstate commerce a stolen motor vehicle, that is, a 2003 GMC Yukon truck, from the State of Tennessee to the State of Virginia, knowing the same to be stolen, in violation of Title 18, United States Code, Sections 2312 and 2.

**COUNT TWENTY-FOUR**

From approximately 2002 and continuing to on or about April 1, 2009, in the Eastern District of Tennessee, the defendants, RAYMOND EDDIE HAWK, THOMAS GRANT WILLIAMS, JAMES ALFRED SISK, ERIC SCOTT WILLIAMS, ROBECCA NICOLE HAWK, KALEP A. HANEY, KIMBERLY DAWN ATKINS, MARGIE EUNAVEE BARNES aka MARGIE MASON and MARGIE SHROPSHIRE, JOSE ELPIDIO CABRERA, JEANNIE DAWN JAMES aka JEANNIE CALDWELL, GERALD LYNN JONES, CALVIN D. IVEY, and ROGER

W. MILLER, knowingly and intentionally combined, conspired, confederated and agreed together and with each other, and with other persons known and unknown, to commit the following offenses against the United States, that is, the distribution and possession with the intent to distribute five hundred grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II narcotic controlled substance, in violation of Title 21, United States Code, Section 841 (a)(1), all in violation of Title 21, United States Code, Section 846 and 841(b)(1)(B).

**COUNT TWENTY-FIVE**

On or about August 1, 2007, in the Eastern District of Tennessee, the defendant, ROBECCA NICOLE HAWK, aided and abetted by and aiding and abetting others known and unknown, knowingly and intentionally distributed a quantity of a mixture and substance containing a detectable amount of cocaine base (crack cocaine), a Schedule II controlled substance, all in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

**COUNT TWENTY-SIX**

On or about August 2, 2007, in the Eastern District of Tennessee, the defendant, ROBECCA NICOLE HAWK, aided and abetted by and aiding and abetting others known and unknown, knowingly and intentionally distributed a quantity of a mixture and substance containing a detectable amount of cocaine base (crack cocaine), a Schedule II controlled substance, all in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

**COUNT TWENTY-SEVEN**

On or about August 16, 2007, in the Eastern District of Tennessee, the defendant, ROBECCA NICOLE HAWK, aided and abetted by and aiding and abetting others known and unknown, knowingly and intentionally distributed a quantity of a mixture and substance containing a detectable amount of cocaine base (crack cocaine), a Schedule II controlled substance, all in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

**COUNT TWENTY-EIGHT**

On or about July 25, 2008, in the Eastern District of Tennessee, the defendant, THOMAS GRANT WILLIAMS, aided and abetted by and aiding and abetting others known and unknown, knowingly and intentionally distributed a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, all in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

**COUNT TWENTY-NINE**

On or about August 1, 2008, in the Eastern District of Tennessee, the defendant, THOMAS GRANT WILLIAMS, aided and abetted by and aiding and abetting others known and unknown, knowingly and intentionally distributed a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, all in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

**COUNT THIRTY**

On or about August 15, 2008, in the Eastern District of Tennessee, the defendant, THOMAS GRANT WILLIAMS, aided and abetted by and aiding and abetting others known and

unknown, knowingly and intentionally distributed a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, all in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

**COUNT THIRTY-ONE**

On or about August 30, 2008, in the Eastern District of Tennessee, the defendant, THOMAS GRANT WILLIAMS, aided and abetted by and aiding and abetting others known and unknown, knowingly and intentionally distributed a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, all in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

**COUNT THIRTY-TWO**

On or about September 22, 2008, in the Eastern District of Tennessee, the defendant, THOMAS GRANT WILLIAMS, aided and abetted by and aiding and abetting others known and unknown, knowingly and intentionally distributed a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, all in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

**COUNT THIRTY-THREE**

On or about January 30, 2009, in the Eastern District of Tennessee, the defendant, THOMAS GRANT WILLIAMS, aided and abetted by and aiding and abetting others known and unknown, knowingly and intentionally distributed a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, all in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

**COUNT THIRTY-FOUR**

On or about February 4, 2009, in the Eastern District of Tennessee, the defendant, THOMAS GRANT WILLIAMS, aided and abetted by and aiding and abetting others known and unknown, knowingly and intentionally possessed with the intent to distribute a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, all in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

**COUNT THIRTY-FIVE**

From approximately 2002 and continuing to on or about April 1, 2009, in the Eastern District of Tennessee, the defendants, THOMAS GRANT WILLIAMS, RAYMOND EDDIE HAWK, JAMES ALFRED SISK, ERIC SCOTT WILLIAMS, ROBECCA NICOLE HAWK, KALEP A. HANEY, KIMBERLY DAWN ATKINS, and JOSHUA VAUGHN BURGIN, knowingly and intentionally combined, conspired, confederated and agreed together and with each other, and with other persons known and unknown, to commit the following offenses against the United States, that is, the distribution and possession with the intent to distribute five hundred grams or more of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841 (a)(1), all in violation of Title 21, United States Code, Section 846 and 841(b)(1)(D).

**COUNT THIRTY-SIX**

On or about January 2, 2009, in the Eastern District of Tennessee and elsewhere, the defendant, RAYMOND EDDIE HAWK, did unlawfully transport in interstate commerce from the State of Virginia to the State of Tennessee, stolen goods, wares and merchandise, that is, two

Samsung Model PN58A550 58 inch flat panel plasma televisions, of the value of \$5,000 or more, knowing the same to have been stolen, in violation of Title 18, United States Code, Sections 2314 and 2.

### **FORFEITURE ALLEGATIONS**

#### **RICO FORFEITURE**

The allegations contained in Counts One and Two of this Indictment are hereby repeated, realleged, and incorporated by reference herein as though fully set forth at length for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 1963, and Title 28, United States Code, Section 2461(c).

Pursuant to Rule 32.2(a), Fed. R. Crim. P., the defendants, RAYMOND EDDIE HAWK, THOMAS GRANT WILLIAMS, JAMES ALFRED SISK, ERIC SCOTT WILLIAMS, and MILBURN THOMAS WILLIAMS, are hereby notified that, upon conviction of the violation of Title 18, United States Code, Section 1962, as charged in Counts One and Two of this Indictment, the defendants shall forfeit, pursuant to Title 18, United States Code, Section 1963:

- a) all interests acquired and maintained in violation of Title 18, United States Code, Section 1962, which interests are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(1);
- b) all interests in, securities of, claims against, and property and contractual rights of any kind affording a source of influence over, the enterprise named and described herein which the defendant established, operated, controlled, conducted, and participated in the conduct of, in violation of Title 18, United States Code, Section 1962, which interests

are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(2); and

c) all property constituting and derived from proceeds obtained, directly and indirectly, from racketeering activity in violation of Title 18, United States Code, Section 1962, which interests are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(3).

The property subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(1), (a)(2), and (a)(3), includes, but is not limited to, the following assets:

- a) At least \$1,000,000 (one million dollars);
- b) One tract of real property, together with its buildings, improvements, fixtures, attachments and easements, having a mailing address of 120/124 Willis Road, Newport, Tennessee, and being more particularly described in the Warranty Deed recorded in Deed Book 1157, page 499, in the Register's Office for Cocke County, Tennessee in the name of Danny R. Jenkins and Sandra D. Jenkins;
- c) One tract of real property, together with its buildings, improvements, fixtures, attachments and easements, having a mailing address of 1318 Cactus Way, Newport, Tennessee, and being more particularly described in the Warranty Deed recorded in Deed Book 1092, page 372, in the Register's Office for Cocke County, Tennessee in the name of Raymond E. Hawk and Edith Kay Hawk; and
- d) One tract of real property, together with its buildings, improvements, fixtures, attachments and easements, having a mailing address of 363 New Cave Church Road, Newport, Tennessee, and being more particularly described in the Deed recorded in

Deed Book 1260, page 28, in the Register's Office for Cocke County, Tennessee in the name of Thomas Grant Williams.

Pursuant to Title 18, United States Code, Section 1963(m) and Title 21, United States Code, Section 853(p), as incorporated by 28 U.S.C. § 2461(c), the defendants shall forfeit substitute property up to the value of the property described in the previous paragraph if that property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of this Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty.

The above-named defendants are jointly and severably liable for the forfeiture allegations alleged above, all in accordance with Title 18, United States Code, Section 1963; Title 28, United States Code, Section 2461(c); and Rule 32.2(a), Federal Rules of Criminal Procedure.

#### DRUG FORFEITURE

As a result of the defendants' unlawful conspiracy to distribute and possess without authority and with the intent to distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II, controlled substance, as set forth in Count Twenty-Two, and to distribute and possess without authority and with intent to distribute marijuana, a Schedule I controlled substance, as set forth in Count Thirty-Three, and upon conviction of same, the defendants charged in those counts shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any interest they may have in any property used and intended to be used in any manner or part, to commit, and to facilitate

the commission of a violation of Title 21, United States Code, Sections 846 and 841(a)(1), and any property constituting or derived from any proceeds obtained directly or indirectly by the defendant as a result of the conspiracy to distribute and possess with the intent to distribute cocaine, that is, including but not limited to the following:

A. REAL PROPERTY.

- (1) One tract of real property, together with its buildings, improvements, fixtures, attachments and easements, having a mailing address of 120/124 Willis Road, Newport, Tennessee, and being more particularly described in the Warranty Deed recorded in Deed Book 1157, page 499, in the Register's Office for Cocke County, Tennessee in the name of Danny R. Jenkins and Sandra D. Jenkins;
- (2) One tract of real property, together with its buildings, improvements, fixtures, attachments and easements, having a mailing address of 1318 Cactus Way, Newport, Tennessee, and being more particularly described in the Warranty Deed recorded in Deed Book 1092, page 372, in the Register's Office for Cocke County, Tennessee in the name of Raymond E. Hawk and Edith Kay Hawk; and
- (3) One tract of real property, together with its buildings, improvements, fixtures, attachments and easements, having a mailing address of 363 New Cave Church Road, Newport, Tennessee, and being more particularly described in the Deed recorded in Deed Book 1260, page 28, in the Register's Office for Cocke County, Tennessee in the name of Thomas Grant Williams.

B. PERSONAL PROPERTY

- (1) Approximately \$4,060.00 in United States currency seized by the Federal Bureau of Investigation on February 4, 2009, from the residence of THOMAS GRANT WILLIAMS located at 363 New Cave Church Road, Newport, Tennessee. Defendant THOMAS GRANT WILLIAMS has an interest in said property.

If, as the result of any act or omission of the defendants any of the property described above, (1) cannot be located upon the exercise of due diligence; (2) has been transferred or sold to or deposited with a third party; (3) has been placed beyond the jurisdiction of the Court; (4) has been substantially diminished in value; or (5) has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to 21 U.S.C. §

853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above, all in accordance with Title 21, U.S.C. §§ 846, 841(a)(1), and 853.

#### MOTOR VEHICLE FORFEITURE

The Grand Jury further charges that in committing the felony offenses alleged in Counts 8, 10, 15, 19, and 21 above, which are fully incorporated herein, and upon conviction of any of the above counts, the defendants, pursuant to 18 U.S.C. § 982(a)(5) and 512, shall forfeit to the United States any and all property constituting and derived from any proceeds obtained, directly and indirectly, as a result of a violation of 18 U.S.C. § 511, including, but not limited to the following property:

Vehicles:

- (1) One motor vehicle appearing to be a 2004 Chevrolet C2500 pick-up truck, white in color, bearing public vehicle identification number (VIN) 1GCHK23114F129686.
- (2) One motor vehicle appearing to be a 2005 Chevrolet Silverado 1500 pick-up truck, red in color, bearing public VIN 1GCEC14XX5Z109790.
- (3) One motor vehicle appearing to be a 2004 Chevrolet Tahoe SUV, black in color, bearing public VIN 1GNEK13Z34R124935.

Defendant THOMAS GRANT WILLIAMS has an interest in the above described vehicles.

By virtue of the commission of the offenses charged in Counts 8, 10, 15, 19, and 21 above, by the defendants, all right, title, and interest in the above-referenced property is vested in the United States of America pursuant to 18 U.S.C. §§ 982(a)(5) and 512.

If, as the result of any act or omission of the defendants, any of the property described above, (1) cannot be located upon the exercise of due diligence; (2) has been transferred or sold to or deposited with a third party; (3) has been placed beyond the jurisdiction of the Court; (4) has been

substantially diminished in value; or (5) has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to 21 U.S.C. §853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

All in accordance with Title 18, United States Code, §§ 982(a)(5) and 512.

A TRUE BILL:

s/Foreperson  
FOREPERSON

APPROVED:

JAMES R. DEDRICK  
UNITED STATES ATTORNEY

By: s/ M. Neil Smith  
M. NEIL SMITH  
ASSISTANT UNITED STATES ATTORNEY