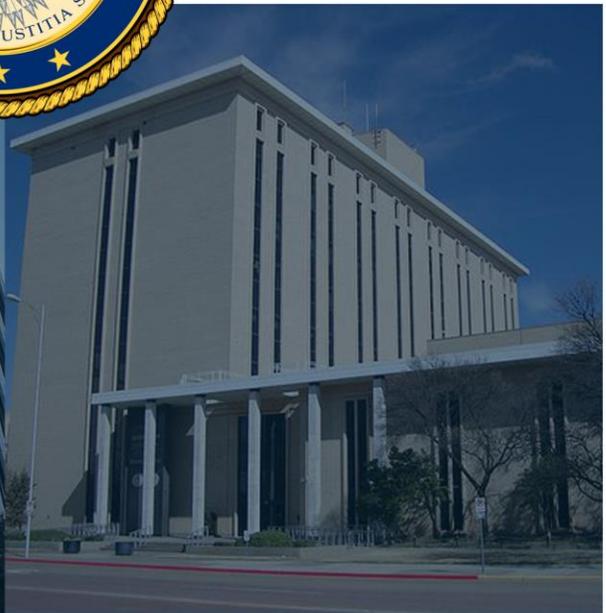


*United States Attorney  
Northern District of Texas  
2018-2019 Biennial Report*





# *In pursuit of Justice . . .*

At my swearing in as the 35<sup>th</sup> United States Attorney for the Northern District of Texas in February 2018, I summed up the federal prosecutor's role thus:

*“To pursue only those things that we think are right and just . . . to become advocates for the facts, advocates for the truth.”*

Since its inception in 1789, the Department of Justice has wielded enormous power. And with that power comes great responsibility. We decide what conduct so subverts the rule of law that it must be investigated, charged, and punished. As the proud leader of the Northern District of Texas, I'm charged with channeling that discretion—with pushing our AUSAs to prize efficacy over spectacle and to honor integrity over might. We must let truth guide our charging decisions, and pursue only those cases that protect and empower the communities we serve. This 2018–2019 Biennial Report—the first of its kind in NDTX—catalogues the ways in which our district has lived up to that pledge.

Over the past two years, our **Criminal Division** has shuttered drug dens and pill mills; jailed violent gang members, traffickers, and armed abusers; thwarted healthcare fraud; disrupted cybercrime; exposed public corruption; and even brought terrorists to justice – making our streets safer and our communities stronger. We've pushed forward on a number of the Attorney General's priority initiatives, from Project Guardian to Project Safe Neighborhoods.

In all, we've filed 2,351 criminal cases against 3,518 defendants, putting our office's caseload 180 percent above the national average. Of course, it's not about the numbers or being above average. To us, each case represents justice achieved on behalf of a victim or survivor.

Meanwhile, our **Civil Division** has also had its hands full, handling 1,672 cases over the past two years. They've used their tools in innovative ways, deploying TROs to shut down a hotel

servicing as a den for heroin distributors and stopping Texas doctors from unlawfully prescribing powerful opioids. Moreover, our **Appellate Division** has assisted our efforts to bring finality to all our cases, presenting oral arguments in more than 50 cases during the two years and briefing more than 450 cases. These victories will serve us well in the years to come.

Naturally, handling over 4,000+ cases in a district 96,000 miles wide requires significant personnel. During 2018 and 2019, we've onboarded 88 folks, created an internal e-Discovery section, and overhauled our organizational structure to allow for more advancement among support staff, which will hopefully aid in the retention of top talent and develop future leaders.

Of course, we would achieve very little without the help of our great law enforcement partners—including the federal, state, and local law enforcement agencies who put their lives on the line to investigate the cases we bring and to build relationships in the neighborhoods we serve.

As Chair of the Attorney General's Advisory Committee, I'm afforded insight into prosecutors' offices across the nation. And though I see progress in each of the country's 94 district offices, I must say, I am especially proud of what the Northern District of Texas has achieved over the past two years. Every day, I see examples of prosecutors living out our personal creed—pursuing what is right and just, advocating facts, and seeking the truth. I hope you think so too.



***Erin Nealy Cox, United States Attorney,  
Northern District of Texas***

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*At a Glance*

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4000+

Criminal and Civil cases during 2018-2019



8+

Million Texans Served across seven Divisions including: Abilene, Amarillo, Dallas, Fort Worth, Lubbock, San Angelo, and Wichita Falls



Assistant United States Attorneys practicing across the District

115

**18<sup>th</sup>**  
Largest U.S. Attorney's Office

Established in  
**1879**

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# *Mission*

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*TO VIGOROUSLY ENFORCE THE LAWS AND DEFEND THE INTERESTS OF THE UNITED STATES;*

*TO FOSTER RESPECT FOR THE LEGAL SYSTEM THROUGH THE FAIR AND IMPARTIAL ADMINISTRATION OF JUSTICE;*

*TO PROMOTE A WORK ENVIRONMENT THAT VALUES THE HIGHEST ETHICAL STANDARDS, PROFESSIONALISM, AND DIVERSITY OF PEOPLE AND IDEAS;*

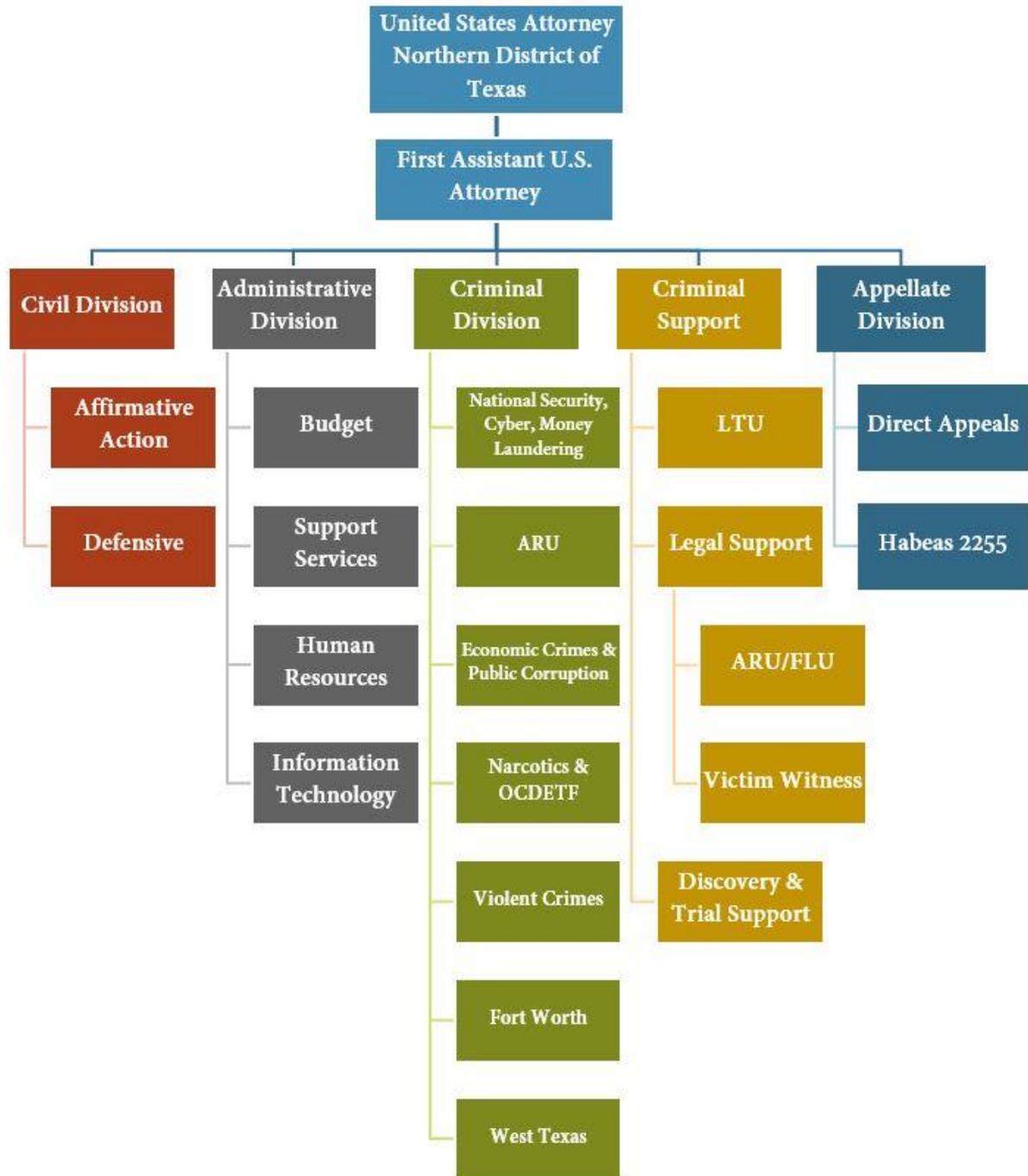
*TO UNIFY THE EFFORTS OF FEDERAL, STATE, AND LOCAL PARTNERS TO BEST SERVE AND PROTECT THE CITIZENS OF THE NORTHERN DISTRICT; AND*

*TO PROMOTE A PEACEFUL AND LAWFUL COMMUNITY.*

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# Organization

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# *Priority Programs & Initiatives*

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**Project Safe Neighborhoods (PSN)** is a nationwide initiative that brings together federal, state, and local law enforcement officials, prosecutors, and local leaders to identify the most pressing violent crime problems in a community. The PSN task forces utilize a community-based, targeted, and comprehensive solution to address crime in each community. There are several PSN efforts across the NDTX and each is committed to a strategic effort to reduce violent crime across the District. In each of our PSN communities, we have partnered with all levels of law enforcement, local service providers, non-governmental organizations, and members of the community to reduce violent crime and to make our neighborhoods safer.

## **Project Safe Neighborhoods**

### ***Dallas Project Safe Neighborhoods***

The Dallas PSN, dubbed “Operation Badge #10934” in honor of fallen Dallas Police Officer Rogelio Santander, was launched in February 2018 to tackle increasing violent crime in Northeast Dallas.



Led by U.S. Attorney Nealy Cox and PSN Coordinator P.J. Meitl, the PSN Taskforce—a coalition of federal and local law enforcement that includes FBI, ATF, DEA, the U.S. Marshals Service, and the Dallas Police De-

partment—has made dozens of arrests inside the PSN “hotspot,” a historically crime-riddled community nestled at the intersection of Route 75 and LBJ.

The Dallas PSN utilizes law enforcement and community intelligence, along with cutting-edge technology, to identify and target the most violent offenders for enforcement action. The NDTX’s strategy couples enforcement efforts with support of prevention and reentry programs to truly combat violent crime in a lasting way.

In the summer of 2019, Better Block Foundation partnered with Dallas’ PSN to design a plan for a blighted and disinvested parcel in the target area to transform it into an area that would promote safety, increase “eyes on the street”, foster healthier public infrastructure, and offer robust community engagement. In just a few days, workers installed brightly colored crosswalks, put fresh paint on surrounding buildings, and installed better lighting. Most striking are the two new public plazas, playground equipment and seating, and a retrofitted shipping container that provides space for popup restaurants and other activities.

The plaza space was created, in part, by closing two small pieces of roadway that added to dangerous traffic patterns.



#### ***Lubbock Project Safe Neighborhoods***

In June 2019, NDTX launched a PSN program in Lubbock. The Lubbock PSN target area stretches from south of downtown, with University Avenue as the western border and I-27 as the eastern boundary. Headed by PSN Coordinator Stephen Rancourt, PSN Lubbock has partnered with every federal, state, and local law enforcement agency in Lubbock to reduce violent crime through the immediate and efficient prosecution of Lubbock’s most dangerous criminals.

The first six months of Lubbock PSN’s launch saw a rapid impact on the community. The targeted PSN area saw a sharp decrease in violent crime that outperformed expectations derived from previous year trends: from the third to fourth quarter 2019, non-family violence aggravated assaults decreased 26 percent. Robberies also decreased by 25 percent in the PSN

area over the same time period, as compared with a 10.5 percent decline in the remainder of the city. Most importantly, not a single murder occurred in the PSN area during the second half of 2019.

*“What we have found with this program is when crime lacks a geographic locus, it dissipates. And when a community trusts law enforcement, it thrives.”*

*-U.S. Attorney Nealy Cox*

#### ***Amarillo Project Safe Neighborhoods***

The Amarillo PSN Program was launched in January 2019, focusing on a violent crime hotspot in the San Jacinto/North Heights neighborhoods. Long plagued by crime, this area is known for drug deals, shootings, and other violent crime.

This project, headed by PSN Coordinator Joshua Frausto, has promoted collaboration between federal, state, and local law enforcement including: ATF, the U.S. Marshals Service; the FBI, Homeland Security Investigations; the DEA; the Texas Department of Public Safety; the Amarillo Police Department; Randall and Potter County Sheriff’s Offices; and the Randall and Potter County District Attorneys’ Offices. The Amarillo PSN has also partnered with several nonprofit organizations and houses of worship including the Amarillo ISD and Amarillo’s College Success Initiative.

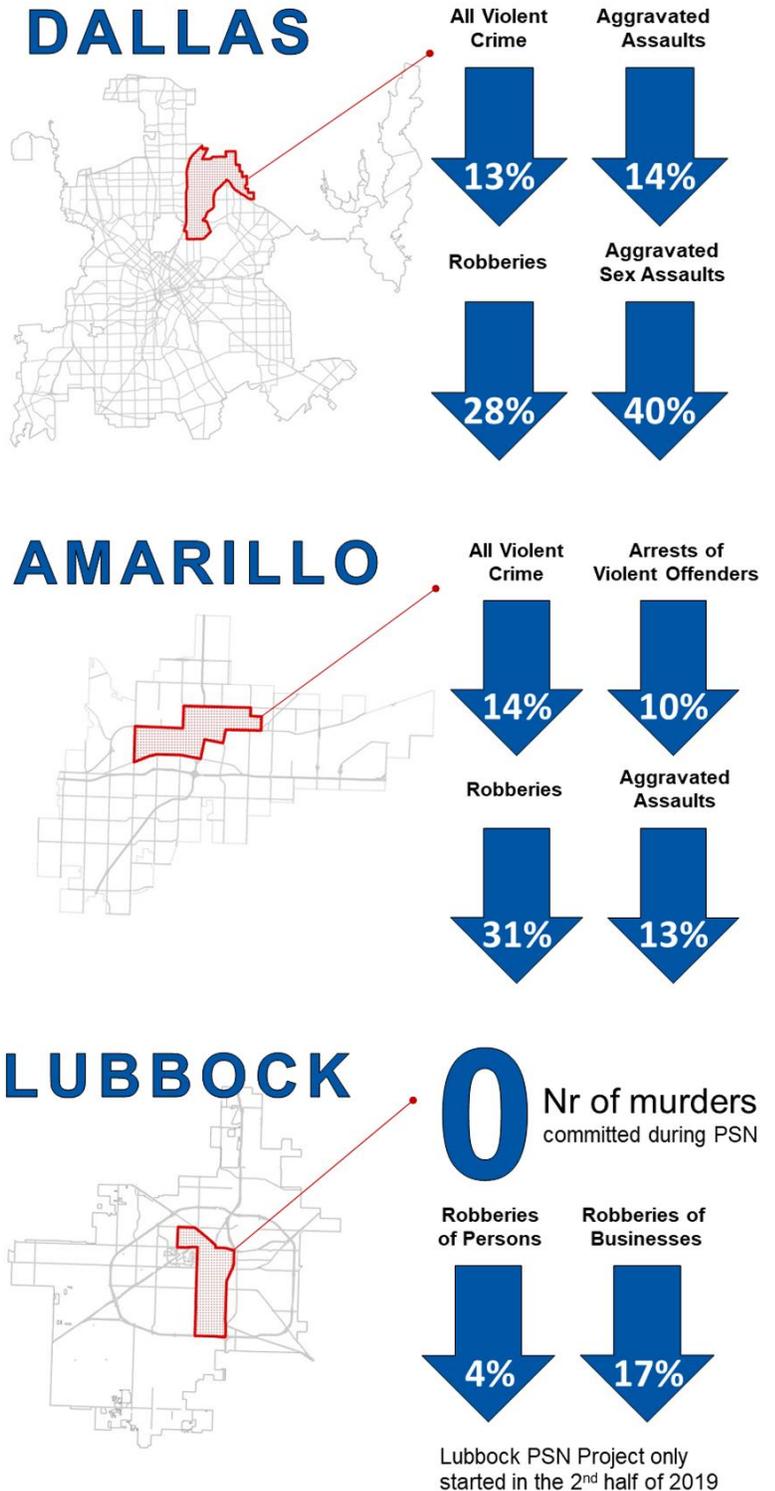
During its first full year in operation, the Amarillo PSN has experienced a significant decrease in violent crime inside the targeted hotspot. This reduction stands in stark contrast to the trend of increasing violence over the four years prior to PSN. The level of violent crime reduction in the PSN area outperformed the remainder of Amarillo, which saw a 14 percent reduction in 2019. In the Amarillo PSN, the most remarkable reduction was in robberies, which decreased by over 31 percent. Additionally, aggravated assaults saw a significant drop off in the PSN area.

**Law Enforcement Strategy**

The Northern District of Texas’ PSN enforcement strategy is to reduce violent crime in each target area, which, in turn, should reduce overall violent crime in each target city.

In each city, this Office has assembled a cohesive PSN team of agents, officers, and partners. Meetings are held on a weekly basis and every violent crime is reviewed and discussed. Team members devise tactics, discuss long-term strategies, and deconflict the activities of the various partners.

Tactics include an immediate response to violent crimes by the enhanced PSN team, coupled with aggressive prosecution. Long-term strategies are designed to eliminate or mitigate certain criminal elements. Team members also focus on location magnets for crime and seek to eliminate those through civil means and negotiation. Close coordination with the District Attorney’s office in each jurisdiction is necessary.





### ***Community Stakeholders***

The NDTX PSN strategy requires consistent and constant interaction with the community. This is achieved through regular meetings with different community members and groups, including schools, HOAs, faith-based groups, and community organizations. During these meetings, PSN members hear concerns of community members, explain the purposes and strategies of PSN, and establish open lines of communications with community members for both the reporting of concerns and the cooperation of citizens.

PSN team members have also devised specific strategies to increase outreach to the community and to improve the interactions between law enforcement and community members. This has included large community festivals organized by the NDTX, school events with officers, and other charity events.

The PSN Community Taskforces are comprised of representatives from the City Council, the Mayor's office, Juvenile Justice officials, reentry service providers, schools, non-government prevention groups and service providers, Crime Stopper Programs,

Texas parole officers, and federal and state probation offices.

### ***Reentry Programs***

Each month, every individual who has been released from state prison or is set to begin probation in the Dallas/Fort Worth area is required to attend a one-hour meeting with PSN Taskforce members. During the meeting, Taskforce members discuss the challenges that face those re-entering society, ramifications of re-offending, and resources available to those re-entering the community. The program includes vignettes of individuals who re-offended and how it influenced their lives. The PSN team has partnered with agencies, including TORI, First Stop, and Community Courts to better assist those with reentry. This program was completely revamped during the PSN reinvigoration. Each month, the program touches approximately 600 individuals.

### ***Project Guardian***

Launched in November 2019, Project Guardian is an initiative started in November 2019 designed to reduce gun violence and enforce federal firearms laws across the country. Reducing gun violence and enforcing federal firearms laws have always been among the Department's highest priorities. In order to develop a new and robust effort to promote and ensure public safety, the Department reviewed and adapted some of the successes of past strategies to curb gun violence.

Prosecution coordination has been vital to the enforcement of gun laws within our District and particularly our largest county, Dallas County, Texas. A bi-weekly case review is conducted by AUSAs within our office and the Dallas County District Attorney's Office

for cases that are firearm related and fall within the thresholds set for the prosecution of firearm cases. ATF, FBI, as well as local police departments work with in these investigations and prosecutions.

In 2019, NDTX prosecuted 365 cases which marked a 29.4 percent increase over 2018. Additionally, the District has placed an emphasis on the prosecution of domestic violence cases involving the use of firearms, and have targeted individuals engaged in unlicensed firearms dealing, including at gun shows. Representative cases include:

**United States v. Eric McGinnis:** In August 2015, following a violent altercation with a live-in girlfriend, a state judge issued a protective order against Eric Gerard McGinnis, then 39. Despite that order—which barred him from possessing firearms or ammunition for two years—McGinnis attempted to buy a semi-automatic rifle component at a federally-licensed gun shop, but the purchase was rejected after an NICS background check.

Instead, McGinnis obtained a barrel, stock, upper receiver, and grip, then used a 3D printer to create a lower receiver, the gun’s firing mechanism, and assembled the parts to construct a short-barrel AR-15 style rifle.



McGinnis took the 3D-printed gun to a wooded area outside Dallas. Grand Prairie

police officers, out on another call, heard three shots fired and eventually located him just off a major road. Ordered to put his hands up, McGinnis falsely claimed to be a member of the CIA.

In McGinnis’ backpack, the officers discovered the partially 3D-printed gun, loaded, and a list labeled “9/11/2001 list of American Terrorists.” The hit list included office and home addresses of several federal lawmakers. McGinnis was sentenced to 8 years in federal prison for unlawful firearm possession in February 2019.

## **Elder Justice**

The Department of Justice is committed to combating elder abuse, neglect, financial fraud, and scams that target our nation’s seniors. The mission of the Elder Justice Initiative is to support and coordinate the Department’s enforcement and programmatic efforts to combat elder abuse, neglect and financial fraud and scams that target our nation’s seniors.

Elder abuse is a serious crime against some of our nation’s most vulnerable citizens, affecting at least 10 percent of older Americans every year. Together with our federal, state, and local partners, NDTX is steadfastly committed to combatting all forms of elder abuse and financial exploitation through enforcement actions, training and resources, research, victim services, and public awareness. This holistic and robust response demonstrates our unwavering dedication to fighting for justice for older Americans. Our office is committed to justice for elder victims and that includes seeking the appropriate punishment for perpetrators. Prosecutors identify cases where it is legally appropriate and advocate for vulnerable victim

status in an effort to increase sentencing guidelines for defendants. Together with our federal, state, and local law enforcement, we are committed to combatting all forms of elder abuse and financial exploitation through enforcement actions. Representative cases include:

**United States v. Patricia Tovar:** Patricia Tovar, a longtime bank manager, was aware of the death of an elderly bank customer. The deceased's account contained approximately \$58,000. During this same time another elderly bank customer accidentally left her driver's license and Social Security card in Tovar's office after meeting with her. Tovar made a photocopy of the 81 year-old's identifiers and opened up a fraudulent bank account in the elderly customer's name. Tovar then drafted a check from the deceased's account into the new fraudulent account. Tovar pleaded guilty to one count of Theft, Embezzlement, or Misapplication by bank officer or employee and was sentenced to 46 months imprisonment.

## **Human Trafficking**

This office is committed to eradicating human trafficking in all its forms by bringing traffickers to justice and providing support and services to trafficking victims. In partnership with Homeland Security Investigation's (HSI) Dallas Field Office, NDTX has taken a lead role in reconstituting the North Texas Trafficking Task Force (NTTTF) as a cross-agency task force that partners with federal, state, and local law enforcement and nonprofit organizations to combat human trafficking in the North Texas region.

NDTX works closely with numerous law enforcement partners in the fight against human trafficking and forced labor, including HSI, the U.S. Department of Labor, the U.S. Secret Service, the Texas Department of Public Safety, the Texas Alcoholic Beverage Commission, the Dallas County Sheriff's Office, and the Federal Bureau of Investigation, among many others. We also partner with a wide range of nonprofit organizations that serve trafficking victims in the North Texas region, including those that provide trauma counseling, case management, and support services. In 2018 and 2019, NDTX charged a total of 23 trafficking defendants and had more than 45 active defendants in trafficking cases. According to the Human Trafficking Institute, in 2019, NDTX charged the third highest number of trafficking defendants, surpassed only by SDNY and SDTX. Representative cases include:

**United States v. Mohamed Toure, et. al.:** For 16 years, Mohamed Toure and Denise Cros-Toure—both descendants of politically powerful families in Guinea—lived and worked in the Dallas suburb of Southlake.

The couple's background placed them among an elite class: Toure was the son of Guinea's first president and Cros-Toure's father was secretary of state. In Texas, the couple promoted African businesses, organized culture festivals and were recognized in newspapers for their philanthropy. Their children played sports, graduated from high school, and went to college.

During that time, a girl lived alongside them. Like them, she was Guinean. She traveled to weddings, graduations, and the Toure children's sporting events. To the outside world, she appeared to be a member of the family. But at home, things were far different.

The victim was brought to the United States at age 5. She knew no one and spoke no English. The Toures forced her to cook, clean, and nanny their children without paying her. She did not attend school. The victim told authorities that she was beaten, called “dog” and “worthless,” and banished to a nearby park as punishment, where she slept on a bench.

In 2016, after 16 years under their control, the victim finally fled, eventually reporting her experience to police. Toure and Cros-Toure were arrested, indicted and convicted on federal charges of forced labor, conspiracy to commit alien harboring, and alien harboring. In April 2019, Toure and Cros-Toure, both 58, were sentenced to seven years in prison and ordered to pay \$288,620.24 in restitution. They will be deported to Guinea after they are released from prison.

**United States v. Davis, et al.**: A human trafficking organization in Ft. Worth was investigated and prosecuted for recruiting and exploiting underage girls for commercial sex. The investigation centered on nine people who worked together from 2015 to 2017. The targets were loosely organized: friends, family members and at times, rivals, who shared victims or stole them from each other. The case involved six victims (the “Jane Does”) ranging in age from 13 to 17 years old at the time of the offense. Five defendants were actively trafficking the victims to hotel rooms and keeping proceeds from commercial sex acts. Three defendants actively participated in the conspiracy by maintaining the victims, or by taking photographs and when traffickers were not available, driving them to commercial sex calls, and posting ads for commercial sex. All eight defendants were charged with conspiracy to

commit sex trafficking. Once the targets realized that one of the victims had cooperated with law enforcement, a ninth defendant threatened the victim and her family was charged with obstruction and witness tampering based upon these threats. Most of the defendants pleaded guilty to a variety of trafficking-related charges. Only three defendants elected to proceed to trial. All were convicted by the jury of offenses including conspiracy to commit sex trafficking, sex trafficking of children and production of child pornography and received sentences ranging from 35 years to life in prison.

### **Project Safe Childhood**

Launched in May 2006 by the Department of Justice, Project Safe Childhood (PSC) is a nationwide initiative to combat the growing epidemic of child sexual exploitation and abuse. Led by the U.S. Attorneys' Offices and the Criminal Division's Child Exploitation and Obscenity Section (CEOS), Project Safe Childhood pools federal, state and local resources to better locate, apprehend, and prosecute individuals who exploit children via the Internet, as well as to identify and rescue victims.

NDTX prosecuted 179 PSC cases with 200 defendants in 2018 and 2019. In 2019, NDTX was ranked first in the nation (out of 93 offices) in both the number of PSC cases brought and the number of defendants prosecuted. These crimes have ranged from production of obscene visual depictions of minors engaged in sexually explicit conduct to direct physical, sexual abuse of a minor, and many others. Representative cases include:

# United States v. Michael Webb

*Project Safe Childhood*



On Saturday, May 18, 2018, Michael Webb grabbed a child as she and her mother were walking down Fort Worth's 6th Avenue. Neighborhood surveillance video shows the victim's mother knocked to the ground as Webb's car drives away.



A family friend who spotted Webb's Ford sedan and called 911. Fort Worth Police Department responded and confirmed that there appeared to be blood on the front passenger seat. Law enforcement then acted quickly to gain entry into Webb's hotel room, rescuing the victim who was found hidden in the laundry basket.



"We got her, we got her!" Officers announced the news over the radio moments after they found the girl. "He's in custody; we have her."



In a three-hour recorded interview with the FBI, Webb confessed to the kidnapping, admitting that after successfully fighting off the child's mother, he drove to a church parking lot. Later that evening, he admitted that he took the girl to Forest Hill's WoodSprings Suites hotel, where he carried the child into a room and held her captive.



Following a two-day trial, a federal jury in Fort Worth, Texas convicted Michael Webb of kidnapping after less than 10 minutes of deliberation. Webb has been sentenced to life in federal prison.

## **Domestic Violence Initiative**

**United States v. Jon Anthony Terry:** In November 2017, HSI Special Agents executed a search warrant at a home in Rockwall, Texas where Terry was living. The warrant described several child pornography files that Terry had distributed and that law enforcement had intercepted. The videos and images depicted children as young as toddlers engaged in sexually-explicit conduct. After agreeing to speak to agents, Terry admitted to sexually abusing one of the children he was living with. Several media devices were seized by agents. Upon review of Terry's media, agents discovered not only over 1000 videos and images of prepubescent children engaged in sex acts but also videos and images that Terry himself had produced of five children, including the one Terry had admitted molesting. The children ranged in age from 2-10 years old. A federal grand jury indicted Terry, charging him with four counts of production and one count of possession of child pornography. Three of the parents gave victim impact statements regarding the extreme effects the children still suffered as a result of Terry's actions. In September 2019, Terry was sentenced to 720 months in federal prison and a life term of supervised release. The judge remarked that it was one of the worst cases she had seen in her 19 years on the bench.

Most domestic violence crimes are initially prosecuted at the state and local level. But as more domestic disputes escalate from bruises to bullets, the Justice Department has decided to take action against these abusers.

Research shows that intimate partner homicides are troublingly common. According to the CDC, roughly one in six homicide victims are killed by an intimate partner. Tragically, Texas accounts for 10 percent of the nation's domestic violence homicides. Armed abusers are especially dangerous. Research shows that abusers with a gun in the home are five times more likely to kill their partners than abusers who don't have access to a firearm.

**DOMESTIC  
VIOLENCE  
INITIATIVE**  
U.S. Attorney's Office - Northern District of Texas

We charge cases using three federal statutes in our arsenal—possession of a firearm by a convicted felon [18 U.S.C. § 922(g)(1)], possession of a firearm by a person subject to a domestic violence protective order [18 U.S.C. § 922(g)(8)], and possession of a firearm by a person who has been convicted of a misdemeanor crime of domestic violence [18 U.S.C. § 922(g)(9)]. During 2018 and 2019, we opened 32 matters for federal prosecution related to domestic violence.



To foster collaboration, NDTX has conducted several roundtable discussions with non-profit community groups and provided training sessions with local District Attorneys' Offices. Representative cases include:

**United States v. Desmond Greer:** Greer was convicted twice in 2016 by a state court in Dallas of assault/family violence for "repeatedly punching and choking" the mother of his children. Because of those convictions, he was barred from having a gun. In 2018, Greer was seen brandishing a rifle during an argument with a customer at his auto shop. In March 2019, Greer pleaded guilty to possession of a firearm by a convicted felon and was sentenced to 10 years in federal prison for possession of a firearm.

*"With so many domestic disputes escalating from bruises to bullets and bloodshed, we can and should play a part in ending this senseless violence."*

*-U.S. Attorney Nealy Cox*

**United States v. Terrol DeBaun Travis:** Terrol DeBaun Travis was on Texas' 10 Most Wanted list as a fugitive with outstanding warrants for violating his parole. During his arrest, he dropped a Ruger 9 mm gun on his doorstep while attempting to flee. Agents later determined the pistol, which was loaded with a high-capacity magazine, was stolen. A known member of the Crips street gang, Travis was convicted between 1995 and 2014 of felony possession with intent to

deliver cocaine; arson; in felony domestic violence; and in aggravated assault with a deadly weapon in relation to a drug dispute. In 2014, he was also convicted of felony domestic violence. In November 2019 he pleaded guilty of being a felon in possession of a firearm and was later sentenced to more than 21 years in federal prison.



## **North Texas OCDEF** **Strike Force**

The North Texas OCDEF Strike Force attacks the area's largest drug threats—primarily drugs trafficked from Mexico and China—by combining the efforts of law enforcement in one co-located setting. The partnership of the Drug Enforcement Administration and 13 other federal, state, and local agencies and departments, including the United States Attorney's Office, is key to the Strike Force's success thus far. The diversity of the agencies participating directly affects the variety of its investigations and dismantling these Drug Trafficking Organizations.

While primarily focused on stopping the flow of heroin and synthetic opioids into our community, the North Texas OCDEF Strike Force also combats methamphetamine trafficking

organizations under direct command and control networks in Mexico. These enforcement priorities have led to the seizure of over 4,000 kilograms of various illegal and controlled substances in the Strike Force's area of control since its inception in 2018. Moreover, the increase in financial investigations and seizures related to drug trafficking has yielded a current value of all assets of nearly \$5.5 million. Over 200 cases have been opened, 179 weapons seized, and 156 wiretaps initiated. Over 240 people have been indicted and over 120 convicted through the efforts of this Strike Force—proof that true collaboration is a force multiplier for our law enforcement partners in their efforts to secure the community. Representative cases include:

**United States v. Arnoldo Rueda Medina:** Arnoldo Rueda Medina, a.k.a. La Minsa—known as “Jefe de Los Sicarios,” or Leader of Assassins—was third in command in the La Familia Michoacán (LFM) drug cartel.

The investigation into La Minsa and his role in LFM's drug trafficking in the DFW area was a complex OCDETF effort that lasted several years and generated voluminous amounts of discovery. The case required the commitment of agents and prosecutors who were willing to work as a team and build relationships with their foreign counterparts to ensure La Minsa's successful prosecution.

Mexican federal police officers arrested La Minsa in July 2009. That same day, in retaliation for his arrest, the cartel launched several attacks against Mexican federal police in the state of Michoacán, killing three law enforcement officers and two soldiers. Two days later, cartel members disguised as police officers kidnapped 12 Mexican federal

police officers. The officers were later executed, left on the side of the roadway with a note that said, “Come for another -- we are waiting.” The bodies of all the murdered law enforcement officers showed signs of torture.



After the unprecedented attack on Mexican law enforcement, the DEA and NDTX made a commitment to bring La Minsa to justice. In February 2010, La Minsa was indicted on drug and money laundering charges. Over the course of several years, the team made multiple trips to Mexico to meet with prosecutors, law enforcement agents, and government leaders seeking evidence and information regarding La Minsa that would be used in the United States. In January 2017, more than eight years after his arrest in Mexico, La Minsa was extradited to the Northern District of Texas. La Minsa pleaded guilty, and in April 2018 he was sentenced to a term of 520 months on the drug charges and 240 months on the money laundering charges.

**United States v. Carlos Espinoza-Juarez, et al.:** The North Texas OCDETF Strike Force targeted a drug trafficking group with organizational ties to Mexico. To date, law enforcement has seized multiple kilograms of heroin, methamphetamine, and cocaine, and indicted 16 members of the conspiracy. The defendant pleaded guilty to two counts of related drug crimes.

## **Hate Crimes**

Eliminating hate crimes and bias-motivated violence from our communities and our country is one of the U.S. Department of Justice's highest priorities. Hate crimes have a devastating effect beyond the harm inflicted on any one victim. According to the FBI's Uniform Crime Reporting Program, hate crimes are motivated by a number of biases, from racial bias (60 percent) to sexual orientation (17 percent) to disability (2 percent).

Hate Crimes reverberate through communities, impact families, and affect the entire nation as others fear that they may be threatened, attacked, or forced from their homes, including because of where they worship.

Like other crimes, the vast majority of hate crimes are investigated by state and local law enforcement and prosecuted under state law. The federal government, however, has an important role to play in addressing crimes motivated by bias against persons based on race, color, religion, national origin, sexual orientation, gender identity, and disability through collaboration with our state and local partners. In 2018, NDTX created a Civil Rights Working Group to reach out to the leaders of minority organizations in the district about their concerns, as well as to provide training about hate crimes and other civil rights issues. Our designated Civil Rights Assistant U.S. Attorney has participated with several groups to build and maintain collaboration for this initiative and meets frequently with The Anti-Defamation League and other Jewish minority groups. Representative cases include:

**United States v. Glenn Eugene Halfin:** In the summer of 2017, an African-American family moved into a second-floor apartment at the Colonial Village Apartments in Grapevine, Texas. Almost immediately, a pervasive harassment began: their family car was egged, covered in feces and a birdseed-oil concoction,

*"My office will continue to prosecute all those who persecute others based on their race, color, ethnicity, or religious beliefs."*

*-U.S. Attorney Nealy Cox*

tion, amongst other filth. They assumed it was kids, because a Hispanic neighbor also had his car vandalized from time to time and reported it to their building management. They noticed it only happened when their car was parked immediately outside their apartment but stopped when their cars were parked further from their door. They certainly did not suspect their downstairs neighbor—Glenn Eugene Halfin, who waved and greeted them when he saw them—was at fault. It was only when they found a noose on their second-floor apartment balcony—seemingly thrown from the most logical place—Halfin's own porch. Grapevine Police Department was summoned, and though a target was identified, no definitive proof existed to tie the noose to Halfin.

In November 2017, when arriving at her car early in the morning, the mother of this family found another noose by her car door—this time, hanging a toy baby doll with dark skin. Having an infant daughter, she immediately perceived the noose as a threat to her

child and feared sleeping alone in the apartment at night while her partner worked. A neighbor with surveillance video showed the couple a video from the morning the noose was found—Halfin walked by the car, but no noose was visible. Grapevine Police Department sent all items to forensics, but no prints could be recovered.

After a third noose was hung, again holding a dark-skinned baby doll, right outside the family's second floor apartment balcony, the FBI uncovered a systemic racist who had harassed multiple minority neighbors over the course of several years.

Ultimately, Glenn Halfin pleaded guilty to an Information charging him with Interference with Housing Rights—a hate crimes statute created to protect those trying to live in peace from racial harassment and used most frequently to punish cross-burning. In October 2018, Halfin received the statutory maximum penalty of 12 months.

## **Victim Assistance**

The goal of the Northern District of Texas' Federal Victim/Witness Assistance Program is to ensure that victims of federal crimes are treated with fairness and respect for their dignity and privacy.

The Victim-Witness Unit carries out the mandates of the Federal Victim and Witness Protection Act of 1982, the Crime Control Act of 1990, the Violent Crime Control and Law Enforcement Act of 1994 and the Justice for All Act of 2004. These laws apply to all victims and witnesses of federal crime who have suffered physical, financial, or emotional trauma. Victims of all crimes under federal investigation are entitled to services under the Victims' Rights and Restitution Act

(VRRRA), including notification of court events.

The Victim-Witness Unit provides notice to the victims and witnesses of case events including information concerning victims' rights and case proceedings. They also assist victims and witnesses with navigating the criminal justice system. Additionally, the Victim-Witness Unit staff assist witnesses and victims in their travel to court hearings. They also assist victims and witnesses with safety planning, the victim impact statement process, and the application to state crime victim compensation programs, and also provide referrals to a robust number of victim-witnesses. Our victim-witness staff provide services due to the office's overall enforcement efforts during 2018 and 2019. In NDTX, the total number of victim related services documented by the Victim-Witness Unit for 2018 was 3330. In 2019, the documented number of victims services increased by 6 percent to 3530.

In addition to assisting victims, staff often assists victim's extended family who have also been affected by the crime. Types of cases can include violent crime, white collar crime, drug and gun cases. Cases may involve the bank robbery, opioid overdoses, kidnapping, Hobbs Act, domestic violence involving guns, child pornography, human trafficking, cyberstalking, hate crimes and fraud.

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# *Criminal Division*

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The Criminal Division, the District's largest Division, prosecutes violations of federal criminal laws. Criminal AUSAs work closely with federal, state, and local law enforcement agencies to enforce criminal laws throughout the District and are responsible for a wide variety of prosecutions consistent with priorities set by the Attorney General of the United States. In addition, they use the federal asset forfeiture statutes to seize profits obtained from criminal activity. The Criminal Division is composed of four sections: National Security, Cyber, and Asset Forfeiture; Narcotics & OCEDTF; Violent & Major Crimes; and Economic Fraud & Public Corruption.

In 2018, the Criminal Division increased the number of cases it prosecuted by seven percent in every substantive area, and charged 12 percent more defendants than in Fiscal Year 2017. The Division prosecuted 12 percent more violent crime cases, and increased its portfolio of drug cases by over 15 percent. The increases in Fiscal Year 2019 were even more impressive. Overall in Fiscal Year 2019, the Division prosecuted 31 percent more cases, and 13 percent more defendants, than in Fiscal Year 2018. In responding to violent crime, the Division prosecuted 39 percent more cases and 44 percent more defendants than the Fiscal Year 2018. The Division also increased its portfolio of drug cases by more than 30 percent, and more than doubled its total number of white collar crime cases.

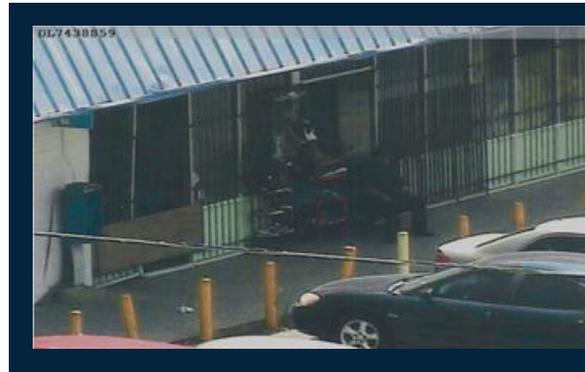
Our people understand that every case we charge can bring peace to crime survivors and prevent future victims.

## *National Security, Cyber, & Asset Forfeiture*

Our robust national security practice notched several notable successes, including three separate prosecutions of individuals for providing material support to terrorist organizations. Representative cases include:

**United States v. Rahim:** This international terrorism case was prosecuted jointly by the NDTX and DOJ CTS/NSD. After a one-week trial, a jury convicted Rahim, a pro-ISIS U.S. citizen of Palestinian descent, of several

charges, including providing material support to a terrorist organization (ISIS). In 2019, Rahim was sentenced to 30 years in federal prison.



**United States v. Michael Sewell:** On May 8 2019, Michael Kyle Sewell, 18, pleaded guilty

to conspiracy to provide material support to Lashkar-e-Taiba, a Pakistani-based foreign terrorist organization also known as LeT. Sewell admitted to encouraging an individual, identified in court documents as co-conspirator 1, to join LeT. Sewell provided the co-conspirator, with whom he spoke on social media, with contact information for an individual he believed could facilitate the co-conspirator's travel to Pakistan to join LeT. Unbeknownst to Sewell and the co-conspirator, the facilitator was an undercover FBI agent. Sewell and the co-conspirator discussed what the co-conspirator should say to the undercover agent who posed as the facilitator, in order to gain the facilitator's trust and be permitted to join LeT. Sewell also contacted the facilitator to vouch for the co-conspirator's authenticity. Sewell was sentenced to 20 years in federal prison.

### **Narcotics & OCEDTF**

The Organized Crime Drug Enforcement Task Force (OCDETF) Program is established to mount a comprehensive attack and reduce the supply of illegal drugs and diminish the violence and other criminal activity associated with the drug trade. NDTX has established an Opioid Working Group to comprehensively assess our response to opioid investigations. Our Narcotics & OCDETF prosecutors coordinate with the criminal and civil health care fraud Assistant U.S. Attorneys for a multifaceted approach to combating the opioid epidemic by taking down street sales of opioids as well as fighting the over-prescription of opioids by physicians operating so-called "pill mills." This working group is leveraging data from multiple sources to target enforcement and foster a multi-disciplinary response to the opioid epidemic. Representative cases include:

**Han Gil Hotel Town:** DEA Dallas investigated the heroin overdose deaths of Justin Bruckman and Reno Nugent, both age 22, who died within two weeks of one another. Bruckman died of an accidental heroin overdose on June 24, 2018 at the Han Gil Hotel in Dallas. Nugent's body was found on July 4, 2018 at his residence. Agents learned that the two drug dealers who supplied the heroin to these victims lived at the Han Gil Hotel, and Bruckman actually died in their hotel room after purchasing heroin from them. Both drug dealers were arrested at the hotel and federally charged. Another heroin dealer up the supply chain from the two arrested dealers controlled several rooms in the Han Gil Hotel and used those rooms to distribute large quantities of heroin to numerous customers daily. There were multiple co-conspirators working for the heroin supplier in "trap" hotel rooms; the owners of the Han Gil Hotel also were aware of his drug organization. According to cooperating witnesses, every occupant at the Han Gil Hotel was either distributing drugs, using drugs or engaged in human trafficking and prostitution.



In March 2019, the Criminal and Civil Divisions worked together on a two-pronged approach to target the Han Gil Hotel. A sealed indictment charged 16 defendants, including the owner of the Han Gil Hotel, with drug

and firearms violations. DEA agents raided the Han Gil Hotel on March 8, 2019, and that same day, the Civil Division obtained a temporary restraining order that prohibited the owners of the Han Gil from continuing operation. Nineteen defendants related to the Han Gil Hotel OCDETF investigation either pleaded guilty or filed paperwork advising the court that they intend to do so. On August 2, 2019, the owner of the Han Gil Hotel pleaded guilty to maintaining a drug involved premises and, as part of the plea agreement, agreed to forfeit the hotel to the government.

**United States v. Dr. Cesar B. Pena Rodriguez and Dr. Leovardes Mendez (Cumbre Medical Center):**

This case involves two doctors operating a pill mill in the Dallas area. DEA identified the doctors using data analytics tools and discovered that the doctors (who were not pain management doctors) were prescribing opioids as well as dangerous drug cocktails at an alarming rate. Agents conducted over 20 undercover pill purchases from the doctors and obtained and executed a search warrant in May 2019. Our Civil Division, along with the Consumer Protection Branch in Washington, DC, had a parallel civil investigation that they coordinated with the criminal investigation and filed a Controlled Substance Act civil matter. Through the civil matter, the office obtained an ex parte temporary restraining order enjoining the doctors from prescribing opioids. The TRO and civil matter were served on the doctors when the search warrant was executed.

**YNB STRETCHGANG:** Members of a Dallas-based criminal street gang known as YNB StretchGang committed a series of drive-by shootings targeting rival gang members operating in Dallas, Texas. Those drive-by shootings were followed by retaliatory drive-

by shootings by rival gangs targeting YNB StretchGang. Multiple innocent bystanders were shot, including a security guard who died and a six-year old girl who was injured. Dallas Police Department homicide detectives identified YNB StretchGang members as being responsible for most of the gang-related violence occurring in Dallas during 2016 and 2017. The YNB StretchGang members were routinely producing and uploading rap videos to YouTube that memorialized the gang's violent activities, encouraged drug dealing, and glorified drive-by shootings. Members of the gang also created the social media hashtag #DPDK (Dallas Police Department Killers).

During the joint ATF/DPD Narcotics investigation, law enforcement agents identified several blocks in South Dallas that YNB StretchGang claimed as their territory. This included commercial businesses that gang members and associates used to distribute quantities of crack cocaine and powder cocaine to customers on a daily basis. The leader of YNB StretchGang, Nykees Earl Campbell a.k.a. "#1" and twelve other YNB StretchGang members and associates were named in a multi-count sealed indictment. ATF agents seized distribution quantities of crack cocaine, marijuana, Alprazolam (Xanax), other prescription drugs, digital scales, thousands of dollars in drug proceeds, and multiple firearms.

All defendants pleaded guilty to drug and firearms offenses. In July 2018, Chief U.S. District Judge Barbara M.G. Lynn sentenced Campbell. Judge Lynn granted the Government's request for an upward departure sentence citing Campbell's YouTube rap lyrics that referenced actual acts of violence he and his fellow gang members committed as grounds to increase his sentence.

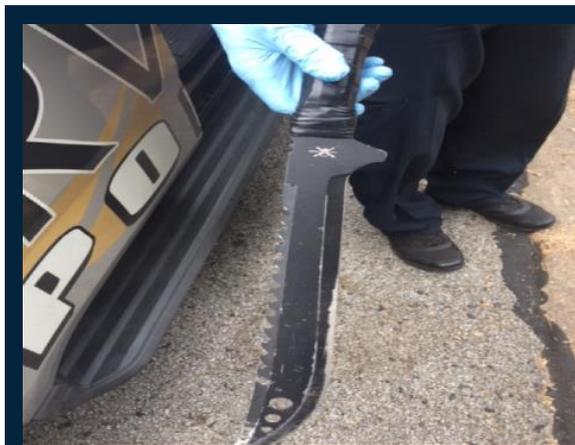
**United States v. Brooks, et al. and United States v. Boone, et al.**: These two cases were related to methamphetamine and heroin distribution conspiracies in Wichita Falls. The investigation—which spanned more than 18 months—revealed that the defendants were coming to Dallas to purchase large amounts of methamphetamine and heroin and then taking it to Wichita Falls to distribute in ounce quantities. Many of the defendants were using local motel rooms in Wichita Falls to distribute their drugs. If allowed to continue, this conspiracy would have had a devastating effect on the economy in Wichita Falls because it relies heavily on people who pass through the area traveling along Interstate 44, Highway 287, and Highway 281. In total, 24 defendants were indicted and convicted for their roles in the conspiracies.

## **Violent & Major Crimes**

The Violent & Major Crimes section prosecutes some of the most dangerous criminals in NDTX including cases involving kidnapping, prison murders and assaults, firearms offenses, and armed robberies of banks and other commercial establishments. AUSAs in the Section also prosecute organized crime groups including traditional domestic and emerging organizations. The Violent & Major Crimes section also serves as a liaison with the Project Safe Neighborhoods Programs. Representative cases include:

**Irving MS-13 Clique**: The members of the Irving MS-13 clique (“ILS”), all illegally in the United States, are responsible for at least six known violent attacks involving machetes and firearms that occurred in Dallas and Irving between July and September 2017. The joint NDTX/DOJ prosecution team pursued

indictments of the defendants on 16 counts relating to the violent attacks, including a RICO conspiracy, VICAR offenses, and two 924(c) offenses. Eight adult defendants have been charged federally, and the juvenile members have been certified as adults in state court for prosecution in Dallas County.



The defendants convicted in this case have received sentencing ranging from 10 years up to life in federal prison.

**United States v. Joshua Lane, et al.**: In April 2018, NDTX charged 67 individuals associated with white supremacist gangs. The defendants engaged in a conspiracy to distribute methamphetamine and other illegal narcotics throughout North Texas and elsewhere, using firearms to further their drug trafficking activities. Some defendants were also members or associates of the criminal street and prison gang, Tango Blast. Throughout the course of the investigation, agents seized over 190 kilograms of methamphetamine, 31 firearms, and approximately \$376,587 in U.S. currency.

**United States v. Jenkins, et al. / In Re: Grindr**: This joint NDTX/DOJ Civil Rights investigation centers on a group of six targets who lured, beat, robbed, and sexually assaulted eight gay men using the dating app

Grindr in December 2017. One victim was car-jacked and forced at gunpoint to drive to an ATM to withdraw funds. On December 11, 2017, the crew set a “meet up” location at a vacant apartment in East Dallas, where five victims showed up expecting a “date,” and were instead beaten, sodomized, and urinated on while the group yelled homophobic slurs. Three targets have been identified and charged by the state. NDTX charged the final two targets, Daniel Jenkins and Michael Atkinson, with conspiracy to commit hate crimes, kidnapping and carjacking. Atkinson has pleaded guilty to federal crimes and is awaiting sentencing.

**United States v. Rubi**: This case involved a series of drive-by shootings at residences in Dallas between February and April 2018. The ATF NIBIN Correlation Center determined that the same two guns were used in 8-12 separate shootings. The first gun, a Glock .45-caliber pistol, was recovered during a traffic stop of a vehicle driven by Rafael Rubi, a convicted felon and a known member of the criminal gang La Familia Homeboy. Aaron Williams, also a convicted felon, was a passenger in the vehicle and was caught trying to kick the Glock .45 under the front passenger seat. The second gun used in the drive-by shootings, a Glock 9-mm pistol, was recovered in a toilet tank in the apartment Rubi shared with his girlfriend, Alexis Ortiz. The indictment charged Rubi with six counts of possession of a firearm by a convicted felon; one count of possession with intent to distribute controlled substances; one Section 924(c) count; and one count of maintaining a drug-involved premises. Williams is charged with a single count of possession of a firearm by a convicted felon, and Ortiz is charged in the two drug counts. All of the de-

fendants associated with the case have received sentences ranging from 70 months to 204 months in federal prison.

## **Economic Fraud and Public Corruption**

Acts of public corruption and economic fraud undermine the rule of law and our nation. NDTX has an established and vigorous economic crimes and public corruption practice, with a particular focus on large-scale health care fraud, securities fraud, and corporate fraud cases. Prosecution of official corruption also continues to be a priority for this office, with recent cases charging two prominent Dallas City Council members and a significant local real estate developer. Representative cases include:

**USA v. Caraway, et al. (Dallas County Schools Investigation)**: Dallas County Schools (DCS) was a government agency whose primary responsibility was to provide bus service for 12 independent school districts within Dallas County and elsewhere, transporting approximately 75,000 children to and from school.



This investigation centered on bribes and kickbacks paid to DCS' superintendent and to Dallas City Councilman Dwayne Caraway by a company that had a \$50 million stop-arm camera contract with DCS. The company president, a middleman involved in paying the bribes/kickbacks, the superintendent, and the councilman all pleaded guilty to federal public corruption charges and received sentences ranging up to seven years in prison.

**United States v. Beauchamp, et al.:** Forest Park Medical Center (FPMC) was a physician-owned surgical hospital founded by Richard Toussaint, an anesthesiologist, Wade Barker, a bariatric surgeon, and others. The hospital's business model was to remain out of network—to take advantage of lucrative reimbursement rates—and to focus on the highest margin surgeries, such as spinal and bariatrics. Prior to its opening and continuing into 2013, FPMC paid approximately \$35 million in bribes and kickbacks to surgeons, primary care physicians, chiropractors, lawyers, and others in exchange for those individuals sending patients to the hospital or for performing surgeries on such patients at the hospital. The bribe payments were made under the guise of marketing support for the doctors and other recipients, which they used to market their own practices, or towards non-marketing expenses, such as cars, trips, and diamonds. At the same time, the hospital systematically waived patients' co-insurance and failed to disclose that fact to the insurance carriers. Additionally, they reached an agreement to send patients with lower-reimbursing insurance coverage, namely Medicare and Medicaid beneficiaries, to other facilities in exchange for cash. The scheme produced approximately \$1 billion in billings and over \$400 million in paid claims over approximately four years. The

government indicted 21 individuals in connection with the bribery scheme, including several leaders of the hospital and approximately 10 doctors, for conspiracy to commit health care fraud, money laundering, and substantive counts under the Travel Act and federal anti-kickback statute. Twenty of the 21 defendants charged were convicted.



**United States v. Patience Okoroji:** Patience Okoroji and Usani Ewah owned and operated Timely Home Health. Shawn Chamberlain was a physician assistant and owner of Boomer House Calls along with Dr. Kelly Robinett, who certified patients for home health services. Angel Claudio was an additional referring physician to Timely.

Timely billed Medicare for over \$11.3 million for home health services purportedly provided to Timely's patients, some of which were attributable to false certifications signed by Dr. Robinett. Dr. Robinett's company, Boomer House Calls, billed Medicare approximately \$1 million for medically unnecessary home health certifications and services and physician's home visits. The evidence in this case showed that Dr. Robinett certified Medicare beneficiaries for medically unnecessary home health services that were often not provided. The evidence further established that Ogwuegbu, a registered nurse, falsified nursing assessments and Nwanguma, a licensed vocational nurse,

falsified nursing notes, to make it appear as if Medicare beneficiaries were qualified for and were provided skilled nursing services.

Okoroji, Ewah, Chamberlain and Claudio all pleaded guilty. A jury found Dr. Robinett, Ogueugbu, and Nwanguma guilty of three counts of health care fraud, and Dr. Robinett and Nwanguma guilty of conspiracy to commit health care fraud. Dr. Robinett, Nwanguma, and Okoroji were sentenced to 42 months in prison. Ewah received 78 months in prison, and Okoroj (who did not cooperate) received 10 years in prison. Chamberlain and Dr. Claudio (who cooperated in investigations) received 18 months and 6 months in prison, respectively.

**United States v. BCR:** Defendants Charles Rogers, Wynon Rogers, and Thomas R. Lutner, III, conspired to defraud approximately 30 natural gas producers of full payments duly owed to them. After contracting with the producers to purchase unprocessed natural gas, the defendants falsely reported volumes and/or prices for natural gas liquids (NGLs) when remitting payment to those producers. The defendants kept the difference between the actual amounts owed to the producers and the lower amounts they falsely reported and paid, stealing approximately \$40 million. In May 2019, Billy Charles Rogers Jr. and Wynon Rogers agreed to pay \$3.575 million to resolve False Claims Act allegations that they caused reduced mineral royalty payments to the U.S. In addition, Thomas R. Lutner III who worked with BCR while employed as a gas supply manager at a natural gas distributor based in Houston agreed to pay \$800,000 to resolve FCA allegations relating to his role in BCR's alleged royalty fraud. Charles and Wynon Rogers were sentenced to 6 months in prison and order to jointly repay \$7,718,876. Lutner

was sentenced to 10 months in prison and order to repay \$16,900,737.

**United States v. James VanBlaricum, et al.:**

James VanBlaricum ran a large-scale oil and gas Ponzi scheme under a number of different company names. VanBlaricum and his co-defendants offered for sale shares in mineral lease and oil and gas production programs which they knew either did not exist or were already defunct, and made representations and assurances to investors that were false and misleading to secure their investments. VanBlaricum and his co-defendants then used new investor money to pay small returns to older investors. VanBlaricum hired and recruited Rodney Pope, Chet Inglis, Matthew Leaverton, and Bobby Gilliam in the fraud. In 2008, after receiving numerous complaints from investors, the Texas State Securities Board contacted the U.S. Postal Inspection Service to report what appeared to be a mail fraud scheme operated by VanBlaricum. USPIS's investigation revealed that since 2005, VanBlaricum and his fraudulent companies had received approximately \$40 million from at least 600 investors. In 2017, VanBlaricum pleaded guilty to mail fraud and was sentenced to 84 months. In 2018, Pope, Inglis, Leaverton, and Gilliam also pleaded guilty to conspiracy to commit mail fraud and received sentences ranging from 36 to 60 months.

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## Civil Division

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Our Civil Division represents the United States in affirmative and defensive civil lawsuits across the District. In defensive matters, AUSAs in the Civil Division handle cases brought against the U.S., its agencies, and certain of its officers and employees. Through our Affirmative Civil Enforcement practice, Civil Division AUSAs investigate and civilly prosecute violations of various federal statutes, including the False Claims Act, which empowers private citizens with knowledge of fraud to present those claims to the Department of Justice. In these cases, a private citizen may be entitled to share in any recovery by the United States. The Civil Division is comprised of 16 AUSAs—half of whom focus on affirmative matters, while the other half primarily handle the District’s defensive matters. In 2018 and 2019, the Civil Division recovered approximately \$85 million through its Affirmative Civil Enforcement efforts, as well as obtained orders against two doctors and a hotel for facilitating illegal distribution of controlled substances.

The Civil Division’s Affirmative Civil Enforcement and Health Care Fraud programs have contributed to the recovery of over \$240,000,000. In addition to collecting ill-gotten gains through enforcement of the False Claims Act, the Division utilizes a variety of tools to serve and protect the community. For example, the Civil Division has devoted substantial resources to combatting the opioid epidemic. These efforts include analyzing available data regarding the over-prescription and abuse/misuse of opioids, as well as partnering with other federal agencies. This targeted approach resulted in the Division identifying providers and pharmacies that may be over prescribing opioids for improper uses. These efforts also resulted in the Civil Division seeking and obtaining Temporary Restraining Orders (TRO) in investigations where medical providers are believed to be illegally prescribing controlled substances. Representative cases include:

**United States ex rel Capshaw v. Hospice Plus, et al.**: In this intervened *qui tam*, the government alleged that defendants Suresh Kumar and Bryan White, M.D. violated the False Claims Act by causing the submission of false claims to Medicare for hospice and home health services tainted by illegal kickbacks. Specifically, the government alleged that the individual former owners of certain hospice and home health companies paid kickbacks, in the form of sham loans and free equity interests in their companies, to a physician practice group and its owners to induce patient referrals to their hospices and home health agencies. The government’s claims were settled for \$18.2M.

**Han Gil Hotel Town**: On March 6, 2019, Civil AUSAs successfully obtained a temporary restraining order, later converted to an injunction, shutting down the operation and occupancy of the Han Gil hotel. In its complaint and motion for temporary restraining order, Civil Division AUSAs successfully argued that the Han Gil—a 45,000 sq. ft. establishment located less than 1,000 feet from a Dallas



elementary school—was home base to a plethora of drug dealers selling cocaine, heroin, and meth.

In the year prior to the restraining order, the property saw multiple murders, assaults, robberies, and shootings and was linked to the overdose deaths of two 22-year-old heroin users. In conjunction with the OCEDTF unit in the Criminal Division, after obtaining the *ex parte* restraining order, a task force of more than 50 agents and officers, accompanied by several attorneys, converged on the Han Gil hotel to effect arrests, execute search warrants, and post notices requiring the immediate clearing of the premises.

*“Instead of simply picking off dealers one-by-one, we asked the Court to issue a Temporary Restraining Order enjoining Han Gil’s further operation.”*

*-U.S. Attorney Nealy Cox*

**United States ex rel. IIRT v. Sightline Health, LLC, et al.:**

IIRT, LLC filed a *qui tam* complaint against Sightline Health, LLC (Sightline), 24 affiliated entities, and numerous physicians. The relator alleged that from at least January 2011 through 2018, the defendants engaged in a kickback scheme that resulted in the submission of false claims to the government. In particular, the relator alleged that the defendants paid doctors to refer cancer patients to Sightline-affiliated clinics for the provision of one of the most expensive radiation therapies available. Following extensive investigation and negotiations, Sightline agreed to pay the government \$11.5M to resolve the corporate claims against it. The relator’s claims against certain individual doctors remain pending.

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# *Appellate Division*

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The District’s Appellate Division represents the United States in cases on appeal before the U.S. Court of Appeals for the Fifth Circuit, which is located in New Orleans, Louisiana. The Fifth Circuit has appellate jurisdiction over U.S. District Courts in Texas, Louisiana, and Mississippi. AUSAs in the Appellate Division handle all aspects of appeals and most collateral litigation, including 28 U.S.C. § 2255 motions from criminal cases prosecuted in the District. They also advise Criminal Division AUSAs on significant legal issues that may arise in their cases and keep abreast of changes and developments in the law. In 2018 and 2019, the Appellate Division filed 469 appellate briefs and handled 54 oral arguments before the Fifth Circuit, the vast majority resulting in affirmance of convictions and sentences. The Division also filed hundreds of responses to Section 2255 motions and responses in other collateral proceedings and handled several trial-court evidentiary hearings in these proceedings. Representative cases include:

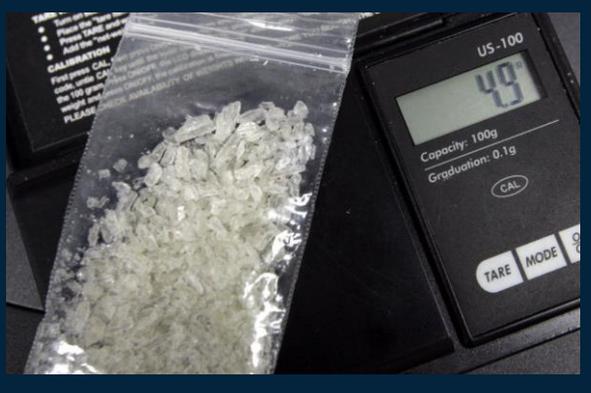
**United States v. Webster:** This is a death-penalty case from 1994 in which Bruce Webster kidnapped, raped, beat with a shovel, poured gasoline on, and buried alive a 16-year-old girl – who was the sister of someone who owed him drugs. A Fort Worth jury found him guilty of kidnapping resulting in death, conspiring to commit kidnapping, and using and carrying a firearm during a crime of violence. At the sentencing phase, Webster argued that he was intellectually disabled, but the district court found that he was not and imposed a death sentence on the kidnapping-resulting-in-death charge. The Fifth Circuit affirmed on direct appeal and in subsequent Section 2255 proceedings. Years later, his attorneys moved under 28 U.S.C. § 2241 in the Southern District of Indiana—home of federal death row—to allow consideration of Social-Security records that dated from a year prior to the murder, which they claimed were newly discovered and purported to show that Webster was intellectually disabled. Ultimately, the Seventh Circuit held that the Indiana district court should hold an evidentiary hearing on this claim.

The district court held the hearing, and in June 2019, it issued an order granting Webster’s Section 2241 motion and vacating his death sentence on the basis that the Social-Security records were newly discovered and that Webster was intellectually disabled and thus ineligible for the death penalty. The Solicitor General authorized an appeal of the ruling to the Seventh Circuit, and the Seventh Circuit currently has the case under consideration.

**United States v. Gas Pipe, No. 19-11145:** Three appellants challenge their convictions for conspiring to defraud the United States by “impeding, impairing, obstructing, and defeating” the FDA’s function of “regulating drug labeling and approving new drugs, before introduction into interstate commerce,” and conspiring “to commit certain offenses against the United States by introducing or delivering an adulterated or misbranded drug into interstate commerce with the intent to defraud or mislead.” Both conspiracies rest on appellants’ sales of synthetic cannabinoids in packages with false labels such as “not for human consumption,”

“herbal incense,” and “potpourri.” The appeal is currently in the briefing stage.

**United States v. Gentry et al.:** This was a seven-defendant appeal from a 33-defendant criminal case in the Fort Worth Division that targeted a methamphetamine-trafficking conspiracy rooted in the Aryan Brotherhood of Texas, a white-supremacist organization. After a four-day trial, the jury convicted the defendants of conspiring to possess with intent to distribute 50 kilograms or more of methamphetamine. Their sentences ranged from 300 months’ imprisonment to life imprisonment.



On appeal, the seven defendants raised questions such as (a) whether the district court erred in denying a defendant’s request for substitute counsel because his attorney allegedly labored under a conflict of interest, (b) whether the court erred in denying a defendant’s request for funds to hire a private investigator, (c) whether the court erred in denying a suppression motion, (d) whether the evidence was sufficient to support three defendants’ convictions, (e) whether the court violated the defendants’ confrontation rights, and (f) whether the court erred in finding that a defendant obstructed justice. The record on appeal spanned almost 10,000 pages. The Appellate AUSA assigned to the case drafted a brief that was almost 130 pages and presented oral argument. The

Fifth Circuit issued a 40-page published opinion affirming on 22 out of 23 issues and only reversing on a minor sentencing issue related to one defendant’s drug-quantity calculation.

**United States v. Ledezma-Cepeda, et al.:** This case was an appeal from a trial involving the murder of a former Gulf Cartel lawyer at an upscale shopping center in broad daylight by two hitmen working on behalf of a rival cartel leader. The appeal involved four issues, including claims of insufficient evidence and severance that required an analysis of the entire trial record, which spanned nearly 15,000 pages. The Appellate AUSA assigned to the appeal drafted a 67-page brief and handled the oral argument. The Fifth Circuit affirmed in a published opinion.



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# *Community Engagement*

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The Northern District of Texas' Outreach efforts were driven by the Department's Project Safe Neighborhoods (PSN) program, which incorporates an extensive community engagement strategy, with a focus on deterrence and reentry. The District's community engagement includes the creation of subcommittees to the PSN Taskforce focusing on education in schools; education regarding PSN through town halls; particular attention to reaching youth in the target areas; partnerships with non-government organizations to provide resources to the community; advanced scheduling of events designed to engage the community in order to have a sustained plan of action over an extended period of time; and a specific focus on reaching diverse subsets of the community. The PSN program focuses on deterrence and reentry through school education series, major press conferences, media campaigns and op-eds, and grants.

## ***Community Stakeholders***

During 2018 and 2019, NDTX was an integral part of more than 150 meetings with members of the PSN communities. These meetings included local apartment managers, community groups, businesses, and volunteer organizations.

## ***National Night Out***

Members of the U.S. Attorney staff participated in the annual National Night Out in our PSN communities. This event re-enforces our community-building campaign that promotes police-community partnerships and neighborhood camaraderie to make our neighborhoods safer, more caring places to live.



National Night Out and Community Festivals have been a valuable tools by enhancing the relationship between neighbors and law enforcement while bringing back a true sense of community.

## ***School Events***

NDTX has dedicated significant resources to collaborating with the community to prevent crime, enhance public safety, and improve the quality of life.

Through our youth outreach initiatives, we have been successful in exposing youth to the promise of positive life choices.

- Teen Job Fairs - 50 employers and 300 students participated in this event. There were 400 jobs offered and 315 applications were completed. Fifty students were hired for a job on the spot.
- Town-hall style events at the PSN high schools to discuss PSN and gang-prevention efforts.



- Reading Program – Each week, law enforcement and community partners in Lubbock visit schools to read and mentor young students. One of NDTX’s nonprofit partners provides free books to students to encourage early literacy.
- Video gaming event at Tasby Middle School in conjunction with the Dallas Mavericks. Police Officers spent two hours getting to know kids on their level.
- Trick or Treat Halloween Events were held because there are so few safe trick-or-treating options for kids in the PSN communities.

### **Youth Camp**

Through a partnership between NAS JRB Fort Worth and NDTX, youth from the PSN communities have an opportunity to learn proven drug and gang resistance information and interact with positive military and law enforcement role models through a one week camp held at the military base. Annually, 30 youth from the PSN communities participate in this life-changing experience.

### **PASS Court**

Proactive Approach for Successful Supervision (PASS) is a voluntary federal reentry program for individuals who have been identified as having a moderate to high risk of recidivism. It includes a court component as well as a support team that oversee an individual’s supervision. There are two phases

that last a minimum of 12 months each that gradually reduce oversight while increasing self-direction and responsibility. Once the individual demonstrates the readiness to lead an unsupervised, law-abiding, responsible and successful life, the PASS team recommends early termination of supervised release.

### **Imagine No Violence Art Contest**

The goal of the Imagine No Violence Art Contest is to promote a culture of nonviolence through creative projects that inspire people to think, discuss solutions, and take action. Over this two-year period, there were over 50,000 middle and high school students participating from 67 schools in 5 school districts in Tarrant County. Each participating middle and high School submits one First



Place, Second Place, and Third Place winner to be entered into a Grand Prize selection. After the event is over, the artwork is used in Public Service Announcements to foster the prevention of violence by way of a travelling exhibit. The artwork was also used on postcards and is available for loan for special events.

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# *Heroes of the Northern District of Texas*

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## **Courthouse Heroes**

On the morning of June 17, 2019, a masked gunman, clad in military gear and carrying an AR-15 style rifle and opened fire on the Earl Cabell Federal Courthouse, which houses the U.S. Attorney's Office. The shooter, later identified as Brian Isaack Clyde, 22, parked his car near the building then exited, carrying the assault rifle and more than 30-rounds on his person.

The gunman fired a relentless barrage of shots at the lobby of the courthouse before exchanging gunfire with Federal Protective Service officers guarding the building.



The FPS officers returned fire, and through excellent marksmanship and bravery, hit and fatally injured Clyde. Clyde ran towards the parking lot and fired five more rounds before he collapsed.

Federal officers performed CPR and took Clyde to the Baylor University Medical Center, approximately two miles from the courthouse, where he was pronounced deceased. Thanks to heroic efforts of the FPS officers, no law enforcement or civilians were severely injured in the shooting.

Our public safety and law enforcement officers put their lives at risk on a daily basis to keep our families, neighborhoods, and workplaces safe. In recognition of the acts of valor of the FPS officers at the Earl Cabell Federal Courthouse, U.S. Attorney Nealy Cox presented each officer with the United States Attorney's Award for Excellence. This award is given out once a year to law enforcement who exceed the call of duty and back the Department of Justice's mission to secure the public safety.



## **Our Fallen Colleagues**

Law enforcement heroism comes in many forms – from the small acts, like police officers mentoring a group of local students, to the big ones, like federal agents neutralizing an active shooter. Our NDTX law enforcement always bring their heroic efforts to serve and protect our citizens. NDTX honors eight fallen heroes who made the ultimate sacrifice for their fellow citizens during 2018 and 2019. These men and women answered the call of duty and served our communities with honor and bravery.

They put their lives in the breach between the criminal element and the communities that they swore to protect. And for that, they “gave the last full measure of devotion.” NDTX is forever thankful for these law enforcement professionals.

Here are those officers and agents who lost their lives while serving in uniform during 2018-2019 in the Northern District of Texas:



David Charles Sherrard  
Police Officer  
Richardson Police Department  
EOW: Wednesday, February 7, 2018



Rogelio Santander, Jr.  
Police Officer  
Dallas Police Department  
EOW: Wednesday, April 25, 2018



Paul Scott Ragsdale  
Senior Special Agent  
ATF  
EOW: Thursday, May 24, 2018



Earl James "Jamie" Givens, III  
Senior Corporal  
Dallas Police Department  
EOW: Saturday, July 21, 2018



Garrett Willis Hull  
Corporal  
Fort Worth Police Department  
EOW: Friday, September 14, 2018



Kristopher David Youngberg  
Federal Agent  
United States Department of Energy  
EOW: Friday, October 5, 2018



Donna Marie Doss  
Border Patrol Agent  
United States Border Patrol  
EOW: Saturday, February 2, 2019



Albert Ramirez Castaneda, Jr.  
Police Officer  
Grand Prairie Police Department  
EOW: Friday, June 7, 2019

*“We honor the service of all who answer the call to serve as law enforcement. May we always remember those who have sacrificed their lives protecting our communities and defending the rule of law.”*

*-U.S. Attorney Nealy Cox*



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