

**UNITED STATES ATTORNEY'S OFFICE
DISTRICT OF NEBRASKA
2021 ANNUAL REPORT**



**JAN W. SHARP
UNITED STATES ATTORNEY**

WELCOME TO THE DISTRICT OF NEBRASKA



Nebraska, is a state that lies in both the Great Plains and the Midwestern United States. It is the 16th largest state geographically, and became the 37th state to join the Union on March 1, 1867. Its 77,000 square miles encompass 93 counties, and a population more than 1.9 million people. As one of the 26 states with only one federal judicial district, Nebraska boasts a diverse and varied topography, geography, and economy. Nebraska is also unique in having the only state legislature that is a unicameral and non-partisan. Nebraska has more underground water reserves than any other state in the continental U.S. The name Nebraska is from an Oto Indian word that means "flat water" (referring to the Platte River, which means "flat river" in French).

The Omaha and surrounding cities make up a population of more than 900,000 which accounts for a large percentage of the District's population. Lincoln, the state's capital, is home to more than 280,000 residents. Much of the state is rural, with more than 90% of Nebraska's cities and towns having fewer than 3,000 people.

The state has a mixed economic base with substantial agricultural and agri-business sectors, as well as significant manufacturing, technical, and service sectors. More than 93% of Nebraska's land is in production agriculture with approximately 46,000 farms and ranches. The state is a national leader in production of beef, pork, corn, and soy beans. Other economic sectors include freight transport by rail and truck, manufacturing, telecommunications, information technology, and insurance. Nebraska is also known for its production of ethanol. Several Fortune 500 companies, including Berkshire Hathaway, Union Pacific, Mutual of Omaha, and Peter Kiewit & Sons, are headquartered in Nebraska, and many others such as Charles Schwab, Valmont, Gallup Organization, and Woodmen of the World have substantial operations in the District.



The United States Strategic Command is headquartered at Offutt Air Force Base, located just south of Omaha in Bellevue. Various other federal sites, including the Niobrara Scenic River, the Missouri National Recreational River, several national monuments, historic sites, National Wildlife Refuges, and U.S. Army Corp of Engineers recreational sites are located throughout Nebraska.

The National Park Service Regional Headquarters is located along the Nebraska side of the Missouri River in Omaha. The U.S. Department of Agriculture operates several facilities in the District, including research national forests, and a national grassland. Omaha's Henry Doorly Zoo & Aquarium, ranked as one of the best zoos in the world, is home to the world's largest indoor desert, the largest indoor rainforest in the United States, and the largest zoo aquarium in the country.



TABLE OF CONTENTS

Welcome to the District of Nebraska	
Strategic Goals of the United States Attorney's Office	2
Message from the United States Attorney	3
CRIMINAL DIVISION	4
Anti-Terrorism	5
Project Safe Neighborhoods & Hobbs Act Cases	6
Project Safe Childhood Cases	14
White Collar and other General Crime Cases	21
Indian Country Jurisdiction and Cases	24
Drug Enforcement Unit & Drug Cases	26
CIVIL DIVISION	33
Civil Litigation Cases and Collections	34
LAW ENFORCEMENT/VICTIM SERVICES/COMMUNITY OUTREACH	38
Contact Information & Websites of Interest	41 - 42

STRATEGIC GOALS OF THE UNITED STATES ATTORNEY'S OFFICE — DISTRICT OF NEBRASKA

I. PREVENT TERRORISM AND PROMOTE THE NATION'S SECURITY CONSISTENT WITH THE RULE OF LAW

- STRENGTHEN PARTNERSHIPS TO PREVENT, DETER AND RESPOND TO TERRORIST INCIDENTS

II. COMBAT CRIME, PROTECT THE RIGHTS OF THE AMERICAN PEOPLE AND ENFORCE FEDERAL LAW

- COMBAT THE THREAT, INCIDENTS AND PREVALENCE OF VIOLENT CRIME
- PREVENT, SUPPRESS AND INTERVENE IN CRIMES AGAINST NATIVE AMERICANS AND IMPROVE SERVICES TO CRIME VICTIMS
- COMBAT THE THREAT, TRAFFICKING, AND USE OF ILLICIT DRUGS AND THE DIVERSION OF PRESCRIPTION DRUGS
- COMBAT CORRUPTION, ECONOMIC CRIMES, FRAUD, CYBER-CRIMES, HUMAN TRAFFICKING AND INTERNATIONAL ORGANIZED CRIME
- PROMOTE AND PROTECT AMERICANS CIVIL RIGHTS
- PROTECT THE FEDERAL MONIES AND DEFEND THE INTERESTS OF THE UNITED STATES

III. ENSURE AND SUPPORT THE FAIR, IMPARTIAL, EFFICIENT AND TRANSPARENT ADMINISTRATION OF JUSTICE AT THE FEDERAL, STATE, LOCAL, TRIBAL, AND INTERNATIONAL LEVELS



MESSAGE FROM THE UNITED STATES ATTORNEY

The United States Attorney's Office had another productive year, notwithstanding it being year two of the pandemic with its associated impact on our ability to fully staff our offices. Our employees adapted to the hardships as teleworking became the norm for many. Our staff continued to turn out quality work and resumed trying cases in the federal courts. It has been an honor to work with the Assistant U.S. Attorneys, Special Assistant U.S. Attorneys and support staff who have pursued the mission of this office through unprecedented circumstances. Also, I would be remiss if I did not highlight the extraordinary efforts of the men and women of law enforcement, federal, tribal, state and local, whose hard work on the front lines produced many of the cases that were prosecuted by the office. Their hard work and selfless dedication to duty is inspiring to all.

Lastly, we are immensely grateful to our numerous community partners. These organizations and individuals are vital to our community outreach and education efforts, and significantly contribute to a safer community for all. We are privileged to serve the United States Department of Justice, the U.S. Attorney's Office - District of Nebraska, and all Nebraskans.



*Jan W. Sharp
United States Attorney
District of Nebraska*

Jan W. Sharp
United States Attorney
District of Nebraska

United States Attorney's Office — Mission Statement

To enforce the law and defend the interests of the United States according to the law; ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans.

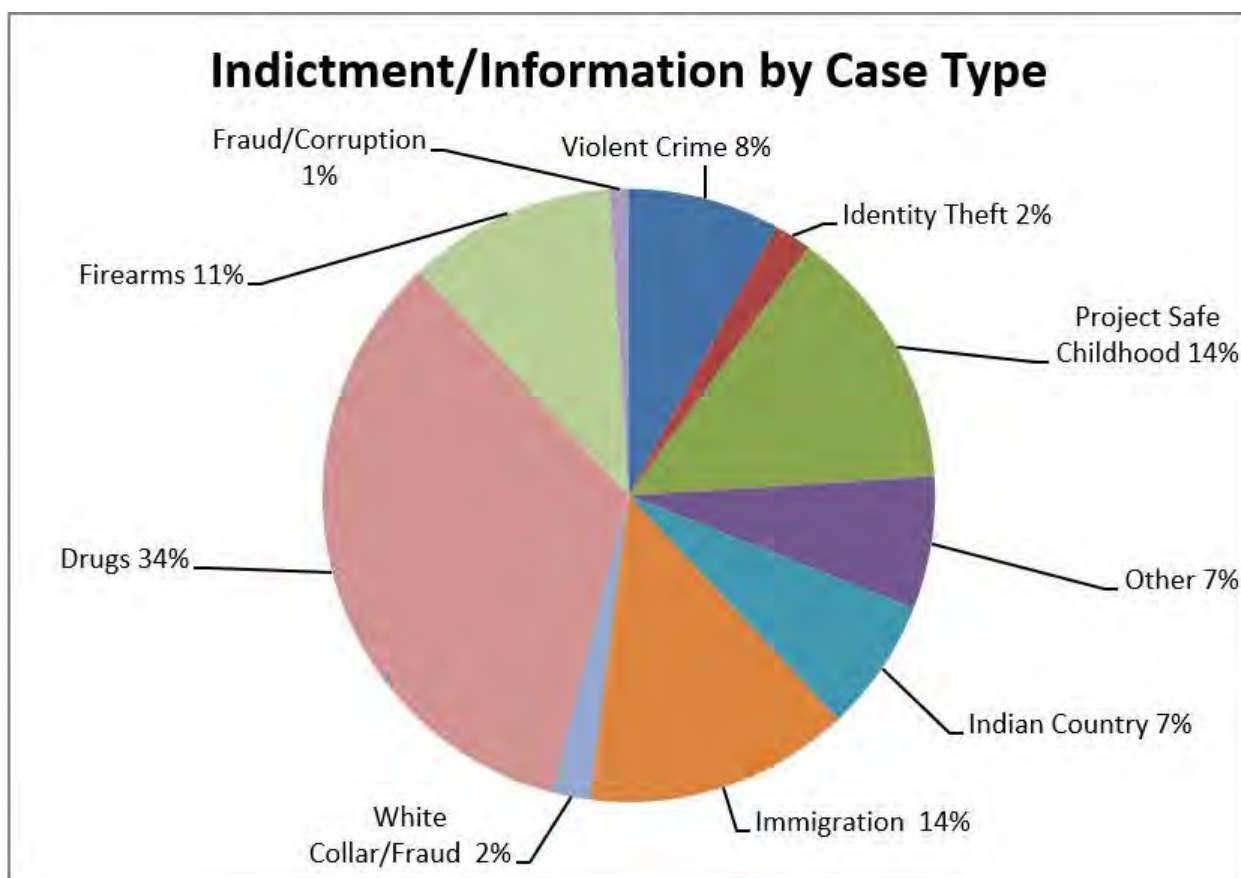


CRIMINAL DIVISION

The United States Attorney's Office (USAO) Criminal Division, which consists of the General Crimes Unit and the Drug Enforcement Unit, prosecutes violations of federal criminal law. The attorneys in the General Crimes Unit are supervised by Criminal Chief Michael Norris while Susan Lehr supervises the Drug Enforcement Unit and Asset Forfeiture.

General criminal cases include child pornography, financial crimes, criminal immigration, identity theft, robbery, Indian Country major crimes, etc. The Drug Enforcement Unit cases include drugs, guns, money laundering, structuring and interstate transportation in aid of racketeering. For 2021, the USAO filed 458 criminal cases involving 604 defendants. Between the two units, there were a total of 29 trials and 42 civil and criminal 8th Circuit Court appeals.

In 2021 the Criminal Division continued to focus its efforts on areas identified as national priorities by the Department of Justice: anti-terrorism, assuring the safety of our communities, and drug enforcement. Working closely with federal, state, tribal, and local law enforcement agencies, there are 22 Assistant United States Attorneys and two Special Assistant United States Attorneys in the general crime and drug units. The majority of these cases related to illegal drugs; however, firearms cases, immigration cases, and offenses involving identity theft and fraud comprised a significant portion of the criminal cases filed. The USAO prosecutes numerous individuals for immigration-related offenses every year. Those offenses can involve charges of illegally reentering the United States after removal, identity theft, possession of false documents, or distributing false documents.



GENERAL CRIMES UNIT

The General Crimes Unit, under the direction of the Criminal Division, handles a wide range of criminal cases to include terrorism, violent crime, white collar crime, child pornography and child enticement cases. Crimes occurring in Indian country are also handled by the General Crimes Unit. Over the next several pages there are some noted cases that were handled by the General Crimes Unit and the Drug Enforcement Unit. There is no parole in the federal system and every defendant is under supervised release (probation) after serving their prison sentence. There are no federal prisons in Nebraska so these defendants are removed from their local areas to serve their time.

ANTI-TERRORISM

The fight against terrorism, both international and domestic, continues to be the first priority of the Department of Justice. The Criminal Division in the District of Nebraska has committed significant resources to this effort. Working closely with the FBI and other federal, state, and local law enforcement agencies, office personnel continue their active membership in the Joint Terrorism Task Force (JTTF) and the Nebraska Information Analysis Center (NIAC) to detect indications or warnings of terrorist activities, identify potential targets of terrorist activities within the District, disrupt activities that support terrorism, and prevent through aggressive prosecution, any crimes that may in some way contribute to terrorism.



The District of Nebraska continues to chair the Suspicious Activity Report (SAR) Review Team. The SAR Review Team is comprised of members from more than a dozen different federal, state, and local law enforcement agencies. Monthly, each member reviews the previous month's SAR(s) through their respective organizational filters and shares information that arise from their investigative efforts. This has been successful in bringing investigative and prosecutorial resources to bear on individuals and entities engaging in violations of the Bank Secrecy Act, and de-confliction with ongoing investigations.

The USAO also serves as a member of the U.S. Strategic Command Threat Working Group, whose mission is to identify and mitigate threats to the command and its supporting Department of Defense elements, including innumerable private contractors. Reduction of these threats requires a concerted effort which includes information sharing and networking among law enforcement personnel at every level.

PROJECT SAFE NEIGHBORHOODS

In cooperation with federal and local law enforcement agencies and prosecutors, Project Safe Neighborhoods (PSN) continues to be a high priority of the USAO. PSN is a nationwide commitment to reduce gun and gang crime in America by networking existing local programs that target gun and gun crime, and providing these programs with additional tools necessary to be successful.

The goal of PSN is to create safer neighborhoods through a sustained reduction in gang violence and gun crime. Assistant U.S. Attorney Matt Lierman serves as the point of contact on PSN-related matters for the USAO.

The USAO worked closely with the Bureau of Alcohol, Tobacco, Firearms & Explosives, the Omaha Police Department's Gang and Firearm Units and other agencies to target gang members and others who committed violent, firearm and drug trafficking offenses.

In 2021, as part of the PSN initiative, the Omaha Police Department traced and tracked 1,270 guns. Of these, 535 guns were used in criminal activity. The Federal Grand Jury returned 201 indictments on gun cases state-wide, and 125 indictments in Omaha alone.

As part of the PSN initiative, the Hobbs Act is a tool increasingly utilized by the United States Attorney's Office, to prosecute those engaged in serial robberies. Some of the dollar amounts of these serial robberies are not significant, but these violent crime spree target innocent, hard-working members of the community.

The convictions result in lengthy prison sentences for those who show a total and repeated disregard for law and order and the lives and well-being of

the community. Although federal prosecution is a powerful tool in the fight to reduce violent crime, not every offender needs to be prosecuted federally. In some cases, prosecution in the state, local, or tribal system can effectively remove a criminal from the community and provide the most appropriate sanction for violent offenders.

Omaha PSN Initiative

The Omaha PSN initiative continued an aggressive proactive approach to address gun assaults and homicides as well as building great relationship with the community through the Omaha 360 initiative. The success of this program demonstrates that partnerships with non-criminal justice entities and neighborhood associations can greatly assist enforcement efforts through comprehensive prevention and community support. One of the salient programs for the District of Nebraska is the prevention /intervention.

Omaha 360 is a group of more than 400 organizations and thousands of participants. It grew out of the Omaha Empowerment Network.

The collaborative effort brings together residents and stakeholders to reduce gun violence (gun assaults), reduce youth violence and gang violence, provide positive alternatives and activities.

This partnership allows the United States Attorney's Office to focus on its primary role of enforcing the law, and by doing so improving public safety, while supporting other individuals and organizations to address the factors that contribute to violent crime.

The Hobbs Act 18 U.S. Code § 1951

The Hobbs Act 18 U.S. Code § 1951, passed in 1946, is a federal law that prohibits robbery or extortion, or attempted robbery or extortion, that affects interstate or foreign commerce



PROJECT SAFE NEIGHBORHOODS AND HOBBS ACT CASES

Featured below are some significant robbery cases prosecuted by the United States Attorney's Office as a result of some quality investigative work by local, state and federal agencies. These defendants were sentenced in 2021.

Tawhyne M. Patterson, Damon D. Williams Dante Williams, and William Boothe, III

Tawhyne M. Patterson, a Vice Lord gang member from Chicago, Illinois, and Damon D. Williams of Omaha, Nebraska, were sentenced to life imprisonment for their respective roles in a home invasion that resulted in the death of Jessica Brandon on July 31, 2018. For their participation in a firearms conspiracy and a second attempted robbery at the same Lincoln home the day before the murder, they were sentenced to 240 months consecutive to the life terms.

Dante Williams, 28, of Omaha, Nebraska, was sentenced to 55 years in federal prison for his role in this home invasion murder. He was sentenced to 45 years for aiding and abetting the murder and 10 additional years, to be served consecutively, for participating in two attempted robberies in connection with the same crime. Williams took a baseball with him to Brandon's home on the first attempted robbery on July 30, 2018, and he helped his brother, Damon Williams, zip-tie children and one elderly women in their beds during the home invasion.

William Boothe, III, a/k/a "Bill" Boothe, a/k/a "Uncle Bill," age 57, of Lincoln, Nebraska, was sentenced for his role in planning and setting up the attempted robbery and home invasion that resulted in this fatal shooting. Evidence at trial of his co-defendants, Tawhyne Patterson and Damon Williams, in February 2021, revealed that Boothe provided the home as a target to Patterson for the attempted robbery and provided information about the residents inside the home.

The evidence at trial established that Patterson, age 28, and Williams, age 29, were part of a crew that targeted a Lincoln marijuana dealer for robbery. They went to the home on July 30, 2018 and returned on July 31, 2018 intent on stealing drug money.

On July 31, 2018, Patterson forced open the door and was joined by two others claiming to be Lincoln Police Officers.

The robbers zip-tied and restrained three children, including a child there on a sleepover who had no family connection to the marijuana dealer. Jessica Brandon, mother of two of the children in the home at the time, was shot as she found herself between Patterson and a safe where the robbers expected to find cash and drugs. Brandon was brought to a hospital and was later pronounced dead.

The children who were tied up and held at gun point were all female children ranging in age from 9 years old to 16 years old at the time of the crime. An elderly woman with a broken back was also zip tied and held at gunpoint. The evidence showed that Patterson gunned down Brandon in the stairwell to her home while Williams and his brother,

Video was recovered from the crime scene. Williams and Patterson were identified through tips from the public. They fled to Texas and were later arrested there in an attempt to evade justice for their roles in this crime.

Darrell L. Manley

Darrell L. Manley, 19, of Omaha, Nebraska, was sentenced to 18 years in federal in prison for his involvement in numerous robberies, some involving firearms, occurring between July and September 2019. He was also ordered to pay \$1,690.45 in restitution.

On July 22, 2019, Manley entered the KwikShop at 3222 Q Street in Omaha with a long gun and forced everyone to the ground. He took money from the register and a pack of cigarettes. During the robbery, he threatened the clerk.

On September 12, 2019, Manley robbed four businesses in Omaha. At 12:39 am, he robbed the Bucky's at 107 South 40th Street by walking in with what the clerk believed to be a gun and struck him in the face with it. After demanding the registers be opened, he ran out the door with cash.

At 6:47 am, he entered the Bucky's at 6003 Center Street, and struck that clerk in the face with the same gun. At 9:26 am, he robbed the Anderson B.P. at 15635 West Dodge Road by entering the store, banging on the register, and demanding the register be opened. Manley grabbed the money and fled. At 9:23 pm, Manley entered the Casey's General Store at 1202 South 13th Street.

PROJECT SAFE NEIGHBORHOODS

At 9:23 pm, Manley entered the Casey's General Store at 1202 South 13th Street. One of the clerks saw a gun and heard Manley demand money. Another employee unlocked the register. Manley grabbed money and left the store.

Manley continued his spree by again robbing the Bucky's at 6003 Center Street in Omaha on September 16, 2019. He entered the store, pointed a gun at the clerk and demanded she open the register. She did so. He jumped on the counter, grabbed cash, and left the store.

Two days later, on September 18, 2019, he robbed the Casey's General Store located at 1202 South 13th Street in Omaha. He entered the store, pointed a tire iron at the clerk, jumped the counter and demanded the registers be opened. He grabbed cash and left the store.

Manley's face was concealed or partially concealed during each of the seven robberies. The Omaha Police Department Robbery Unit and Federal Bureau of Investigation's Great Plains Violent Crime Task Force used shoe prints, fingerprints, DNA and video to tie Manley to this string of robberies.

This case was investigated by the Omaha Police Department and the Federal Bureau of Investigation.

Sammie Ranson

Sammie Ranson 30, of Omaha, Nebraska, was sentenced to a term of seven years imprisonment and three years of supervised release following imprisonment for committing two armed robberies at commercial businesses in Omaha.

Ranson admitted to assaulting one employee of a Boost mobile store while he was armed with a knife during the robbery. In the other robbery, Ranson admitted to threatening to kill two employees at the Subway restaurant he robbed if they reported the incident to the police after he left the store.

This case was investigated by the Federal Bureau of Investigation and the Omaha Police Department.

Felipe Hernandez Molina

Felipe Hernandez Molina, age 26, of Omaha, Nebraska, was sentenced in federal court in Omaha, to Conspiracy to Distribute Methamphetamine and Possession of a Firearm in Connection with a Drug Trafficking Crime. He received 20 years' for the drug crime and a consecutive 5-year term of imprisonment for possessing a firearm while distributing drugs.

After completing his term of imprisonment, Molina will be required to serve a 10-year term of supervised release. Molina also forfeited all the U.S. currency seized during his arrest.

On September 20, 2019, officers with the Omaha Police Department made a traffic stop near 17th and Castelar streets in Omaha, after observing a car driven by Molina commit two traffic infractions. Upon making contact, officers noticed several indicators that Molina was involved in criminal activity and he was ordered out of the car for a pat down search. While exiting the car, Molina placed a bundle of U.S. currency inside the driver's door.

A separate bundle of currency was found on his person. Officers called for a drug detecting canine that alerted to the odor of narcotics coming from within the car. A search revealed drug paraphernalia, a total of \$7,836 in cash, approximately 144 grams of methamphetamine, and a black Ruger SR22 handgun all near the center console. During a post-arrest interview at the scene, Molina admitted to selling methamphetamine and purchasing multiple pounds.

This case was investigated by the Omaha Police Department.

PROJECT SAFE NEIGHBORHOODS

Elias Mendoza

Elias Mendoza, 25, of Grand Island NE, was sentenced to 140 months in federal prison for three counts of distribution of methamphetamine, and 120 months for being a felon in possession of a firearm, with each count to be served concurrently with one another. Following the prison term, Mendoza will serve five years on supervised release.

In August of 2019, Mendoza sold a confidential informant methamphetamine on three occasions. The total quantity of all sales amounted to approximately 140 grams of methamphetamine. The methamphetamine was tested by the Nebraska State Patrol lab at 99% purity. Additionally, on August 20, 2019, Mendoza sold the same confidential informant a handgun. Mendoza was a felon at the time as a result of prior Burglary and Terroristic Threats convictions. As a convicted felon Mendoza is prevented from possessing a firearm.

This case was investigated by the Central Nebraska Drug and Safe Streets Task Force, which is made up of officers from the Grand Island Police Department, Hall County Sheriff, Hastings Police Department, Adams County Sheriff, Kearney Police Department, Buffalo County Sheriff, Nebraska State Patrol, Homeland Security Investigations and the FBI.

Jade Good

Jade Good, 34, of Council Bluffs, Iowa, was sentenced to imprisonment to 180 months for possession with the intent to distribute methamphetamine and possessing a firearm in connection with a drug trafficking crime. After her release from prison,

On January 21, 2018, narcotics investigators served a warrant authorizing the search of Good's room at a motel on South 13th Street in Omaha. When officers entered the room, they observed Good with a loaded 9mm firearm, over \$27,000 in U.S. currency, and over 500 grams of methamphetamine in her possession. The currency was administratively forfeited to the Omaha Police Department.

This case was investigated by Omaha Police Department.

Lionell Bland

Lionell Bland, 43, of Omaha, Nebraska, was sentenced to 180 months' imprisonment with a five-year term of supervised release to follow for possession of a firearm by an armed career criminal. The term of incarceration will run consecutive to a sentence he is currently serving as a result of violating state parole. An armed career criminal is a felon in possession of a firearm after three prior convictions involving crimes of violence or drug trafficking.

On August 20, 2019, Omaha Police officers received a call to Dailey's Liquor Store located in northeast Omaha, regarding an armed party. Bland was outside in the parking lot and attempting to hide a loaded FN Hi Power 9mm handgun. Officers found the firearm on top of a t-shirt underneath the vehicle next to where Bland had been standing. Bland ultimately admitted to handling the firearm. At the time of the offense, Bland was on parole. He had four prior convictions for possession of cocaine with intent to distribute, and prior convictions for use of a weapon and terroristic threats.

This case was investigated by the Omaha Police Department.

Mitchell Ryann Pond

Mitchell Ryan Pond, 39, of Lincoln, Nebraska, was sentenced to 15 years in prison for drug conspiracy and a consecutive 5 years of imprisonment for the use of the firearm during and in relation to that conspiracy.

As part of a narcotics investigation regarding Pond, law enforcement seized about 90 grams of actual methamphetamine attributable to him in April 2019. Thereafter, law enforcement obtained and executed a search warrant on Pond's residence. Inside the residence, law enforcement found methamphetamine residue and a handgun. Law enforcement continued its investigation and found that between November 1, 2018 and July 10, 2019, Pond was responsible for the distribution of at least 1.5 kilograms of methamphetamine in the Lincoln area. Because Pond had previously been convicted under Nebraska state law of robbery he faced a 15-year mandatory-minimum sentence for the conspiracy conviction.

This case was investigated by the Lincoln/Lancaster County Narcotics Task Force.

PROJECT SAFE NEIGHBORHOODS

Odies Scott

Odies Scott, 57, of Omaha, Nebraska, was sentenced to 120 months' imprisonment for felon in possession of a firearm. Scott will serve a 5-year term of supervised release following his release from the Bureau of Prisons.

On March 5, 2020, Omaha Police responded to a report of a theft-related offense at an Omaha extended-stay hotel at 9006 Burt Street. Officers met the caller who stated that the suspect in the burglary was inside the hotel. The suspect, later identified as Scott, walked toward the officers but changed direction and fled upon seeing police.

While attempting to escape, Scott discarded a backpack he was carrying by throwing it away. Officers eventually tackled Scott and placed him under arrest. Upon retrieving the backpack, officers recovered a Ruger 9mm handgun. A search of Scott also revealed he was carrying .7 grams of methamphetamine.

Scott had previously been convicted of several felony offenses prior to March 5, 2020, including first-degree burglary; attempted robbery; second degree assault and use of a weapon to commit a felony; and first-degree false imprisonment.

This case was investigated by the Omaha Police Department.

Carlos D. Montejano

Carlos D. Montejano, 37, of Omaha, Nebraska, was sentenced to 90 months in the Bureau of Prisons. Montejano will serve a three-year term of supervised release for felon in possession of a firearm. Montejano has multiple prior felony convictions.

On October 17, 2019, Omaha Police Department officers on routine patrol saw a silver Chevrolet sedan with no license plates or temporary stickers. They pulled behind the vehicle in an attempt to stop it when its front seat passenger, later identified Montejano, bailed out of the vehicle wearing a backpack and ran northbound.

An officer gave chase, yelling loud verbal commands, identifying himself as a police officer, and directing Montejano to stop. Montejano did not comply and after approximately one block of foot pursuit, he was taken into custody. During the pursuit, Montejano threw his backpack along with other property.

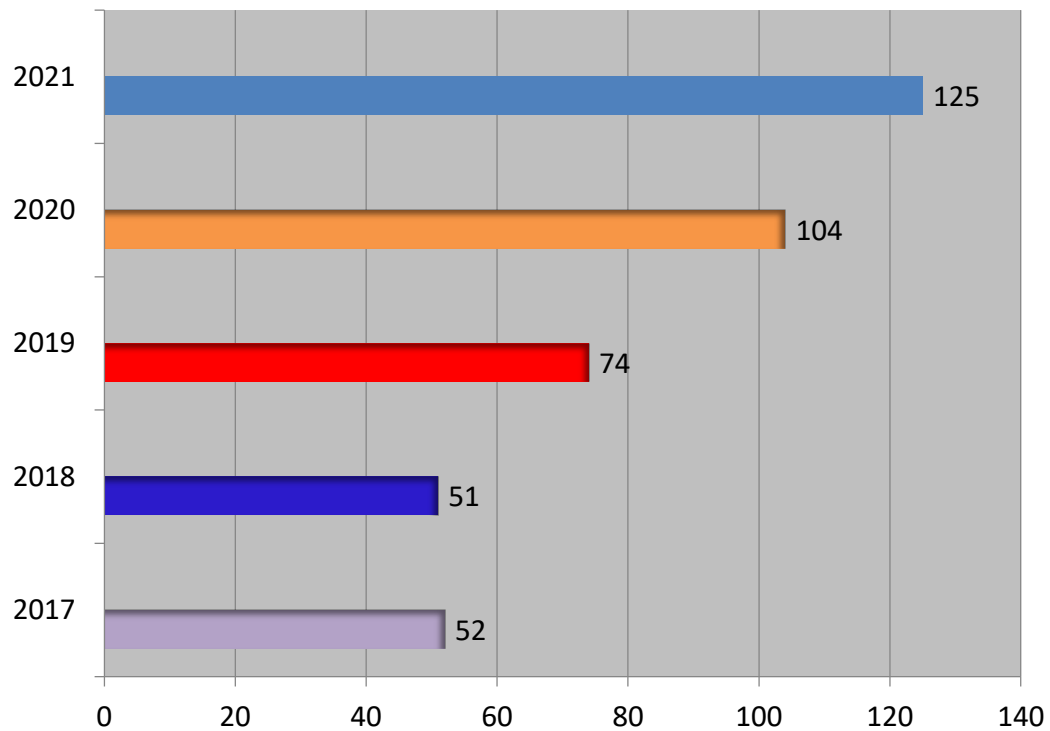
Law enforcement recovered various property that Montejano had abandoned during the foot pursuit in the backpack: a loaded Ruger LCP .380 handgun with five rounds in the magazine, a second loaded extended 10 round magazine, and a plastic baggie containing methamphetamine. Montejano was previously convicted for making terroristic threats and use of a deadly weapon to commit a felony in 2003, possessing a controlled substance in 2018, and criminal impersonation in 2019.

This case was primarily investigated by the Omaha Police Department.

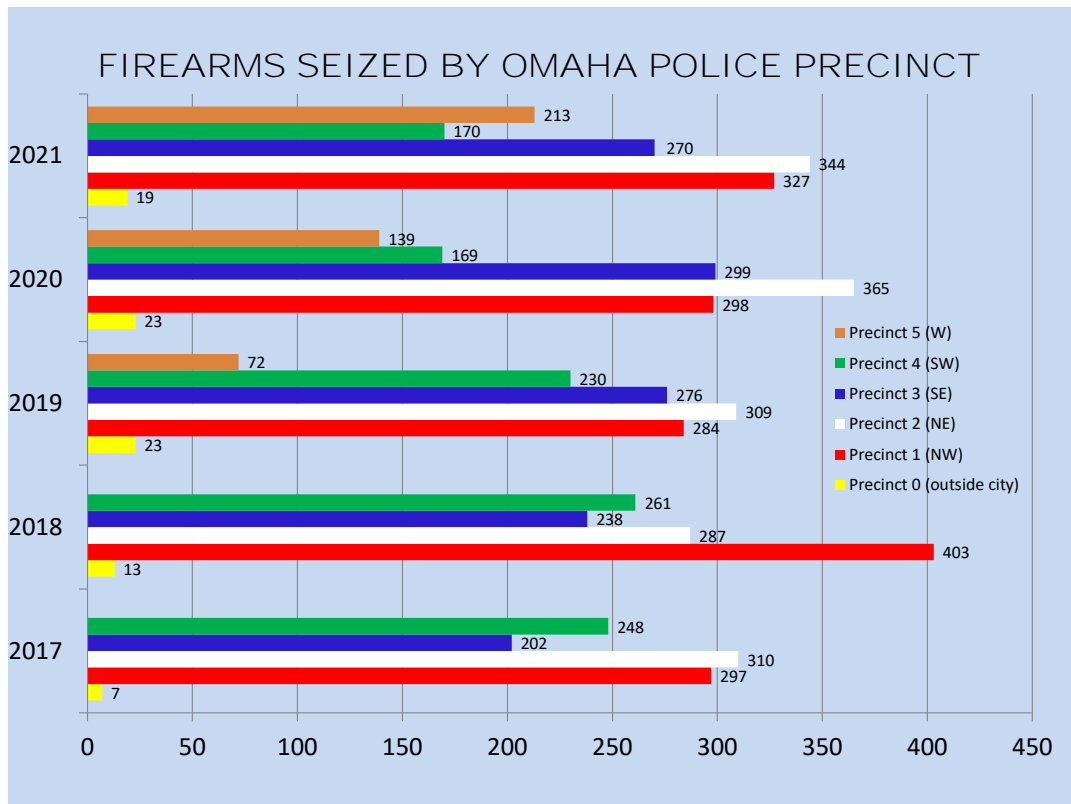
These cases were all part of Project Safe Neighborhoods (PSN), a program bringing together all levels of law enforcement and the communities they serve to reduce violent crime and make our neighborhoods safer for everyone. The Department of Justice reinvigorated PSN in 2017 as part of the Department's renewed focus on targeting violent criminals, directing all U.S. Attorney's Offices to work in partnership with federal, state, local, and tribal law enforcement and the local community to develop effective, locally based strategies to reduce violent crime.



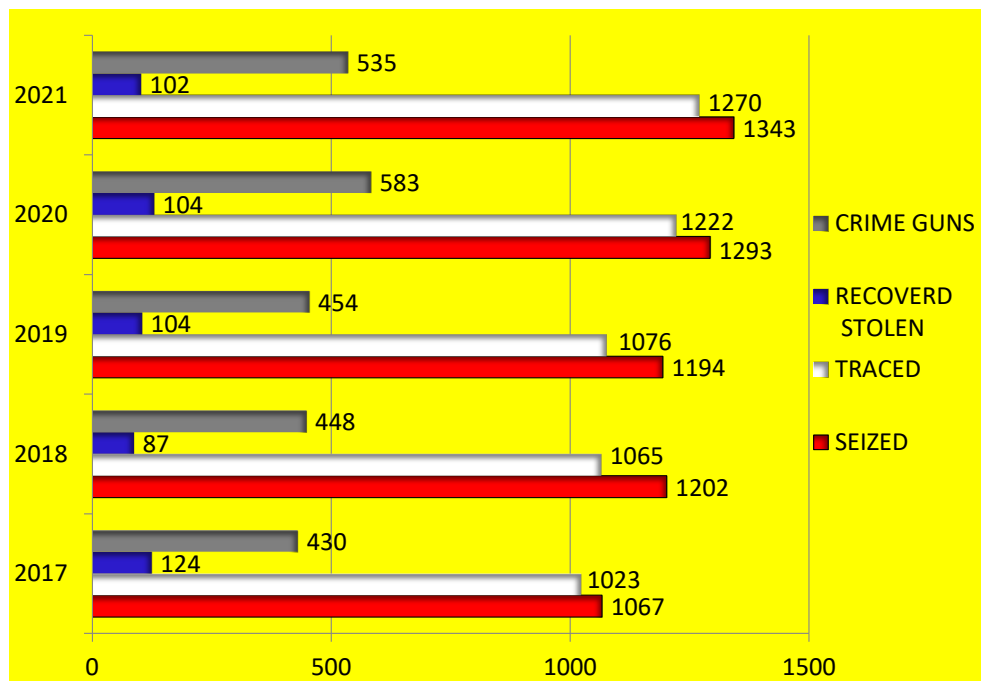
CONFIRMED FEDERAL GUN INDICTMENTS



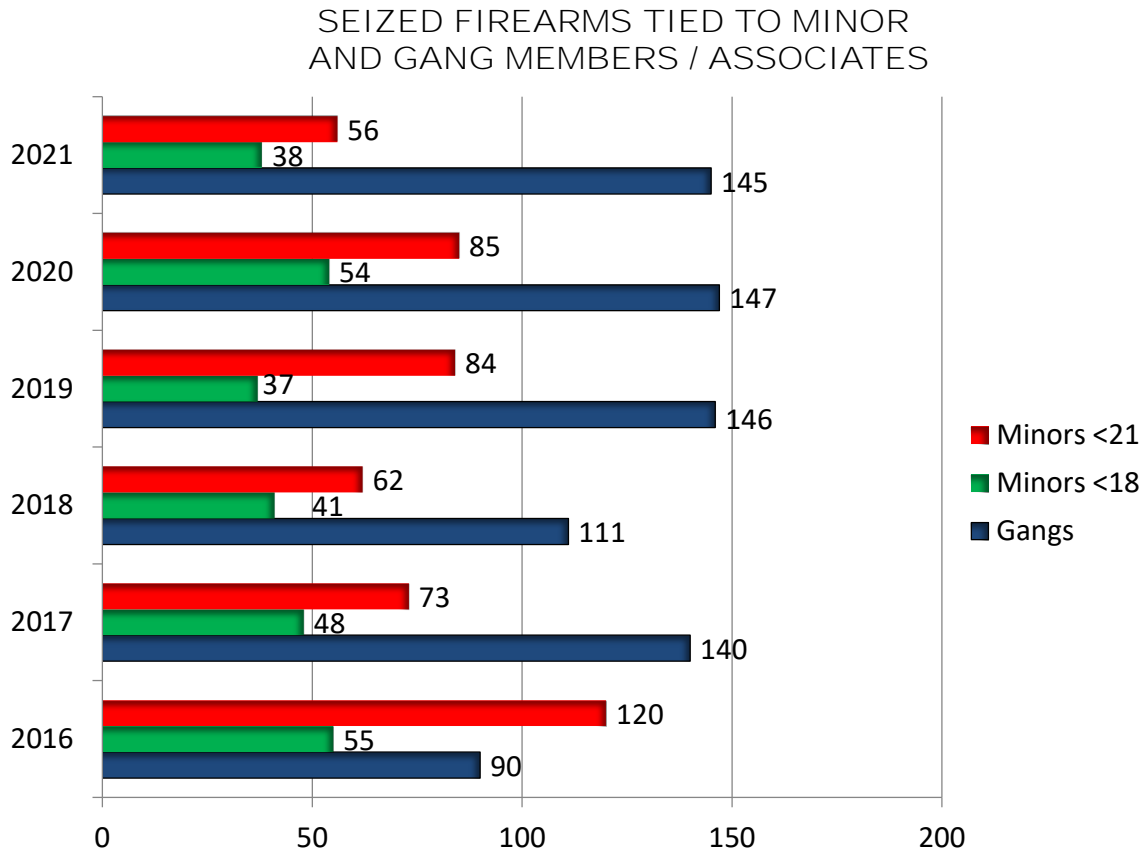
PROJECT SAFE NEIGHBORHOODS



FIREARMS SEIZED BY OPD FOR TRACKING



PROJECT SAFE NEIGHBORHOODS



PROJECT SAFE CHILDHOOD CASES

Project Safe Childhood (PSC) is a nationwide initiative to combat the growing epidemic of child sexual exploitation and abuse. Launched in May of 2006 by the United States Department of Justice, it is led by United States Attorneys' Offices nationwide and the Criminal Division's Child Exploitation and Obscenity Section (CEOS). The program marshals 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. Assistant U.S. Attorney Mike Norris serves as the point of contact for PSC.

In calendar year 2021, the USAO filed charges in 49 cases involving 53 individuals in child exploitation cases.

Those indictments included charges for interstate travel to engage in sexual acts with a juvenile. The Nebraska Attorney General's office has collaborated with the USAO on child pornography cases and cross-designated assistant attorney generals assist in bringing federal charges on individuals throughout the state.

Here are a number of significant cases prosecuted under this initiative.

Robert Lee Wright

Robert Lee Wright, age 38, of Cleveland, Tennessee, was sentenced to 400 months' imprisonment for the Production and Distribution of Child Pornography. Additionally, Wright was ordered to pay \$66,000 in restitution.

On December 23, 2018, Wright was the passenger in a rental vehicle stopped by the Nebraska State Patrol in Hamilton County, Nebraska. A search of the vehicle was conducted and 95 electronic devices and storage devices were recovered from within the vehicle. One of these devices was Wright's Samsung Galaxy J3 cellular phone, which contained a microSD memory card.

Wright was arrested on unrelated state charges immediately following the search of the vehicle and he was interviewed on December 23, 2018. During this interview, Wright stated that all of the electronic devices were his.

On January 4, 2019, a state search warrant was obtained through the County Court of Hamilton County, Nebraska by the Nebraska State Patrol to search Wright's Samsung Galaxy J3. A review of a microSD card from the Samsung Galaxy J3 cellular phone located more than 700 images of child pornography. Additionally, a video was located of Wright filming himself engaging in sexually explicit conduct with an infant girl who was confirmed to be approximately 23 months old.

While in the Hamilton County Jail, Wright gave his login information for his Gmail account to a third party in Tennessee over the phone. This allowed for that individual to access and receive the child pornography stored on the account. The FBI reviewed approximately 100 of Wright's devices as well as his internet-based cloud accounts. This review found a total of 43,678 images and 922 videos depicting children engaging in sexually explicit conduct.

The FBI also identified and located the 23-month-old girl. The FBI and local law enforcement searched the storage unit where Wright produced the video with the 23-month-old girl which was rented by an associate of Wright's. The FBI also located and collected sheets that were depicted in the video.

This case was investigated by the Federal Bureau of Investigation, Papillion Police Department, Nebraska State Patrol, and the Bradley County, Tennessee Sheriff's Office.

Shane Robert Smith

Shane Robert Smith, 51, of Bruning, Nebraska, was sentenced to 28 years in prison and 15 years of supervised release with special conditions for Receipt of Child Pornography.

This case began with a National Center for Missing and Exploited Children (NCMEC) cyber tip indicating that Facebook user "Shane Smith" had attempted to share a video of child pornography to another Facebook user in August of 2019.

On February 13, 2020, a residential search warrant was executed at Smith's residence. A forensic examination was completed of Smith's seized devices. A laptop contained more than 200 image files of child pornography.

PROJECT SAFE CHILDHOOD CASES

On July 13, 2020, Smith was arrested and his new cell phone was seized and searched pursuant to a federal search warrant.

The examination of the phone revealed around 15 additional child pornography files. Some of the child pornography images located on Smith's devices were of a relative child.

The examination of Smith's devices and evidence later obtained through a search warrant to Facebook additionally revealed many chat messages in which Smith talked about the sexual abuse of children.

Smith has previously been convicted for possessing child pornography in violation of the law of the state of Nebraska twice. On February 21, 2014, he was convicted for possessing child pornography in the District Court for Howard County, Nebraska. On March 6, 2014, he was convicted for possessing child pornography in the District Court for Hall County, Nebraska.

This case was investigated by the Nebraska State Patrol and Homeland Security Investigations.

Juan Burnell

Juan Burnell, age 34, of Plattsmouth, Nebraska, was sentenced to 25 years of imprisonment for distributing child pornography. After completing his term of imprisonment, Burnell will begin a 15-year term of supervised release.

On June 20, 2020, Burnell used his Instagram account to upload an image of child pornography to the internet. On October 13, 2020, law enforcement obtained the contents of Burnell's Google account. The Google account contained five videos of child pornography.

Burnell was already a registered sex offender and had been convicted of assault with intent to commit sexual abuse in Benton County, Iowa (2005), and third degree sexual assault of a child in Buffalo County, Nebraska (2011). The case was investigated by the Nebraska State Patrol.

John A. Duncan

John A. Duncan, age 37, of Omaha, Nebraska, was sentenced to 221 months' imprisonment for receipt and distribution of child pornography. After his release from prison, Duncan will be on supervised release for life and will be required to register as a sex offender. In addition, the terms of Duncan's supervised release prohibit him from having any contact with children under the age of 18, unless it is approved by the United States Probation Office. He was ordered to pay \$22,000 in restitution.

An investigation conducted by the FBI determined that in July of 2019, Discord, Inc., a digital file sharing application, reported that between February 9, 2019 and March 3, 2019, several files of minors under the age of 12 engaging in sexually explicit conduct were distributed at various times to other users of that application.

Discord captured multiple Internet Protocol (IP) addresses and an associated email account that was used to upload the images of the minors. The FBI obtained information related to the IP addresses and email account, which ultimately identified Duncan as being associated with the Discord account at the time the child pornography was distributed. The FBI further determined that Duncan resided in Omaha, Nebraska.

The FBI executed a federal search and seized Duncan's cellular phone. Forensic analysis of the cellular phone found 42 images of minors engaging in sexually explicit conduct, including the specific images of minors engaging in sexually explicit conduct that were identified in the Discord application distributions. Duncan admitted that he distributed the child pornography from Omaha.

This case was investigated by the Omaha FBI's Child Exploitation and Human Trafficking Task Force.

PROJECT SAFE CHILDHOOD CASES

Timothy Caruso

Timothy E. Caruso, 45, was sentenced on charges of distributing of child pornography and accessing with intent to view child pornography to 180 months' imprisonment for the child pornography offenses and 14 months for a violation of supervised release, which will be served consecutive to his sentence for the child pornography offense. Caruso will be on supervised release for life upon his release from prison.

Caruso was on federal supervision after a prior conviction for failing to register as a sex offender. In December 2018, Caruso uploaded an image of child pornography to a private section of Pinterest. Pinterest reported the upload to the National Center for Missing and Exploited Children. The image was traced back to a Google account used by Caruso and sent from an IP address where he was staying.

Further investigation discovered Caruso's search terms indicating an interest in young girls. His messages on Pinterest included that he had lost his child pornography collection and was seeking to trade child pornography and acquire new images.

This case was investigated by the Omaha FBI's Child Exploitation and Human Trafficking Task Force.

Jon T. Bogart

Jon T. Bogart, 60, of Lincoln, Nebraska, was sentenced to 12 years and 6 months in prison and 15 years of supervised release for possession of child pornography. There Bogart was additionally ordered to pay \$1,000 which will contribute to funds established for victims of child exploitation crimes.

This investigation began with a series of eight cyber tip reports from the National Center for Missing & Exploited Children (NCMEC) indicating that an individual residing at Bogart's residence was engaged in child pornography crimes in July of 2020. Based on the cyber tips, a search warrant was received for the search of the residence. During the execution of the search warrant, Bogart spoke with a Nebraska State Patrol investigator and directed the investigator to his room and his personal cellphone. He provided consent for his phone to be reviewed.

When the investigator reviewed Bogart's cell phone, he observed child pornography being stored in the Google Photos application and further observed child pornography related internet searches on the device. Bogart's other devices were seized as well. A review of his devices revealed at least 14 videos of child pornography, as well as 80 images containing child pornography.

Bogart was previously convicted in 1995 in the District Court for Jefferson County, Nebraska with Attempted First-Degree Sexual Assault of a Minor. Additionally, he was previously convicted in 2007 in case in the District Court for Jefferson County, Nebraska with seven counts of Possession of Visual Depiction of Sexually Explicit Acts. Bogart was released from his prison sentence stemming from the 2007 case in October of 2019.

This case was investigated by the Nebraska State Patrol.

Nathaniel Walker

Nathaniel Walker, 33, of Raymond, Nebraska, was sentenced to 11 years in prison, and 10 years of supervised release and ordered to pay \$9,000 in restitution for possession of child pornography.

This case began when Kik flagged a September 29, 2018 conversation in which Walker and other Kik users discussed an interest in child pornography and Walker shared a link to a Dropbox folder which contained child pornography material. On March 2, 2019, Homeland Security Investigations conducted a knock and talk with Walker at his residence. Walker admitted he used Kik about three times a week at night to seek out child pornography.

Walker also admitted that he would share links during Kik chats which he knew contained child pornography, but that he did not own the Dropbox accounts. He indicated that he shared these links in the hopes of receiving new links from other individuals on Kik. Walker had previously been convicted in 2012 of attempted possession of child pornography in Lancaster County, Nebraska.

This case was investigated by Homeland Security Investigations.

PROJECT SAFE CHILDHOOD CASES

Nathan Lee Kempter

Nathan Lee Kempter, 33, of Littleton, Colorado, was sentenced to 19 years in prison for enticement of a minor and travel with intent to engage in illicit sexual conduct. After his release from prison, he will begin a 12-year term of supervised release. Kempter will also be required to register as a sex offender.

In August of 2019, the Lincoln Police Department was contacted about a missing 14-year-old girl. The girl had last been heard talking to someone on the phone. She had been observed near her residence getting into a red, four-door SUV and leaving the area. Her phone was reviewed for additional information and revealed a Colorado telephone number that she had called.

The number belonged to Kempter who resided in Highlands Ranch, Colorado. Kempter was also the registered owner of a red 2015 Nissan SUV. The police were able to track the movement of Kempter's cellphone and determined it was located just across the Nebraska/Colorado border on Interstate 76. Lincoln Police contacted law enforcement authorities in Colorado.

On August 02, 2019 at 11:54 p.m., Douglas County, Colorado Sheriff's deputies saw Kempter driving toward his residence in Highland Ranch, Colorado. Deputies stopped the vehicle in front of the residence and Kempter was arrested. At that time, Kempter informed the deputies that the young girl in his vehicle was 14 years old.

The 14-year-old stated she met Kempter on the Reddit website, in a chat room for teen runaways. Her screen name indicated she was a 14-year-old female. After communicating with Kempter on Reddit, they moved their conversation to Tumblr, another social media platform, and exchanged messages between July 23, 2019 and August 2, 2019. During these conversations, Kempter made it known he wanted to have sex with the girl and would bring her to Colorado.

After picking her up at her residence in Nebraska, Kempter began to drive west on Interstate 80. She was told to lay down in the front seat and cover herself. At some point while in Nebraska, Kempter stopped at a Walmart so that he could buy her new clothes.

Evidence obtained in a search of Kempter's vehicle revealed the purchase of boy's pants, a shirt, and a blanket.

This case was investigated by the Lincoln Police Department, the Douglas County Sheriff's Office, Colorado and the Federal Bureau of Investigation.

Zhijun Xia

Zhijun Xia, age 30, of China, was sentenced to 210 months' imprisonment for Coercion and Enticement of a Minor. He was ordered to pay \$3,000 in restitution and will be deported back to China after serving his sentence.

Between June 1, 2018 to February 28, 2020, Xia was a graduate student at the University of Nebraska Omaha. He is a Chinese national. Xia met the victim's mother who hired Xia to tutor the victim in the Chinese language. Xia began tutoring the victim in June of 2018. Xia met the victim in person for the tutoring sessions and began communicating with the victim over the social media application WeChat. Xia began inquiring over WeChat about the victim's sexual history.

On July 10, 2018, the victim attended a summer camp at the University of Nebraska at Lincoln. Xia messaged the victim over the Internet using WeChat about his plan to visit her in Lincoln on July 11. During this conversation, Xia discussed various forms of birth control with the victim in response to the victim allaying her fears of becoming pregnant while in high school.

Xia reserved a room at the Red Roof Inn and Suites in Lincoln for the night of July 11. Xia picked up the victim from the University of Nebraska campus and took the victim to the Red Roof Inn, where he subjected the victim to sexual penetration. Xia was 27 years of age and the victim was 15 years of age. Immediately following this incident, Xia continued to message the victim on WeChat regarding the July 11 incident.

This case was investigated by the Federal Bureau of Investigation, Omaha Police Department, the University of Nebraska-Omaha Police Department, and the Lincoln Police Department.

PROJECT SAFE CHILDHOOD CASES

James Joiner

James Joiner, 49, of Omaha, Nebraska, was sentenced to 150 months' imprisonment for Attempted Enticement of a Minor. After his release from prison, Joiner will serve 5 years of supervised release and will be required to register as a sex offender.

In March 2020, Joiner responded to an online prostitution advertisement by texting the phone number listed in the ad. An undercover law enforcement officer purporting to be a fifteen-year-old female responded to Joiner's texts. Joiner made arrangements to meet the fifteen-year-old female at a gas station in Omaha, offering to pay the female and buy her an iTunes gift card. When Joiner arrived at the gas station, he was detained by law enforcement. Joiner admitted to answering the prostitution ad and texting with what he believed to be a fifteen-year-old female.

This case was investigated by the Douglas County Sheriff's Office and the Omaha FBI's Child Exploitation and Human Trafficking Task Force.

Glenn Whitney

Glenn Whitney, 26, was sentenced 250 months' imprisonment for Sex Trafficking of a Minor. Whitney will serve 5 years of supervised release and will be required to register as a sex offender.

Federal agents began investigating in September 2020, after an Omaha foster child was reported missing. The investigation showed that the 16-year-old victim engaged in commercial sex acts in the Omaha area with Whitney directing the minor victim, including where to conduct acts and how much to charge, and receiving financial proceeds from those acts.

This case was investigated by Homeland Security Investigations, the Omaha Police Department, and the Nebraska Attorney General's Office.

Santa Man Mongar

Santa Man Mongar, 27, of Omaha, Nebraska, was sentenced to 120 months' imprisonment for Attempted Enticement of a child. After his release from prison, he will begin a 10-year term of supervised release.

Mongar will also be required to register as a sex offender and is subject to deportation by U.S. immigration authorities when he completes his sentence of imprisonment.

In late August 2020, Mongar responded to an online prostitution advertisement by texting the phone number listed in the ad. An undercover law enforcement officer purporting to be a 15-year-old female responded to Mongar's texts.

Mongar arranged to meet the 15-year-old female at a gas station in Omaha, offering to pay the female in exchange for oral sex and agreeing to bring her alcohol. When Mongar arrived at the gas station, he was detained by law enforcement. Mongar admitted to answering the prostitution ad and texting with a person he believed to be a 15-year-old female.

This case was investigated by the Omaha FBI's Child Exploitation and Human Trafficking Task Force and the Douglas County Sheriff's Office.

Thomas Holbert

Thomas Holbert, 32, of Omaha, Nebraska, was sentenced to 235 months' imprisonment for Conspiracy to Sex Traffic a Minor. After his release from prison, Holbert will serve 5 years of supervised release and will be required to register as a sex offender.

Federal agents began investigating in September 2020, after two Omaha foster children went missing from their foster home. The investigation showed that Holbert picked up the victims, aged 16 and 17, and brought them to a hotel where Holbert posted online advertisements promoting the minors for commercial sex acts. Both victims then engaged in sex acts for money with Holbert and others receiving financial proceeds from those acts.

This case was investigated by Homeland Security Investigations, the Omaha Police Department, and the Nebraska Attorney General's Office.

PROJECT SAFE CHILDHOOD CASES

Mitchel D. Abraham

Mitchel D. Abraham, 23, of Omaha, Nebraska, was sentenced to 12 years and 6 months' imprisonment for transportation of a minor with the intent to engage in criminal sexual activity. After his release from prison, Abraham will begin a 30-year term of supervised release and will be required to register as a sex offender. He was also ordered to pay a \$10,000 fine.

An investigation conducted by the Federal Bureau of Investigation determined that on or about December 5, 2020, a 15-year-old minor's parents, located in Pennsylvania, reported their daughter missing. Through its investigation the FBI learned that the minor was located at a residence in Omaha. On December 31, 2020, the FBI made contact with Abraham at his residence in Omaha. Also present in the residence was the minor.

The investigation revealed that Abraham had previously met the minor on the online platform Snapchat in November 2020. At that time Abraham was 22 years old and the minor was 15 years old. It was determined that on December 8, 2020, Abraham traveled to Pennsylvania in a white Kia sedan to pick up the minor and return to Nebraska where he lived. After arriving in Pennsylvania, Abraham transported the minor to Nebraska with the intent of engaging in sexual activity with the minor. After arriving in Nebraska, Abraham and the minor engaged in sexual activity.

This case was investigated by the Federal Bureau of Investigation.

Lauryn Besta, Darien T. Brewer

Lauryn Besta, 22, of Omaha, Nebraska, was sentenced to 142 months' imprisonment and Darien T. Brewer, 20 to 180 months' imprisonment for conspiracy to engage in sex trafficking of a minor.

An investigation conducted by Homeland Security Investigations and the Nebraska Attorney General's Office determined that from January 2016 and continuing through January 2019, in the District of Nebraska and elsewhere, Besta and co-defendant, Darien Brewer, conspired and agreed to recruit, transport, and entice four minor females, under the age of 18 years old, to engage in commercial sex.

The victims were introduced into the lifestyle of prostitution through the use of drugs and alcohol provided by Besta and Brewer. Besta and Brewer often referred to the minors as "the Bunny Gang."

Investigators determined that Besta and Brewer would instruct the minors how to advertise, solicit, and charge for commercial sex acts in the District of Nebraska and elsewhere. They obtained commercial sex customers for the minors by purchasing and posting advertisements on internet sites such as www.backpage.com. Sex customers responded to the advertisements via telephone and text message and commercial sex acts were coordinated to occur at various hotels, motels, and other locations.

Besta and Brewer used vehicles and public highways to drive the minors to various hotels, motels, and other locations for commercial sex acts, including Omaha, Nebraska; Lincoln, Nebraska; Iowa; and Houston, Texas. The minors paid a portion or all of the payments received for commercial sex acts to Besta and Brewer.

This case was investigated by Homeland Security Investigations and the Nebraska Attorney General's Office.



PROJECT SAFE CHILDHOOD CASES

Max Rookstool

Max Rookstool, 18, of Grand Island, Nebraska, was sentenced to 10 years in prison and will serve 12 years on supervised release. After serving his prison sentence, Rookstool will be required to register as a sex offender. Rookstool was also ordered to pay \$8,000 in special assessments.

In December 2019, Homeland Security Investigations (HSI) was contacted by the Grand Island Police Department (GIPD) regarding an ongoing child pornography investigation indicating that a male student at Grand Island Northwest High School was using fraudulent social media accounts to solicit nude photographs of other males at the high school by pretending to be a female high school student. The investigation revealed that Rookstool was the student who created the fraudulent accounts and he would then use the photographs sent by the students to extort and seek more sexually explicit images.

During the investigation, law enforcement determined that Rookstool had also been in contact with Brian Mohr, a teacher at his high school. Between July 2019, and December 2019, Rookstool sent approximately 41 nude images constituting child pornography to Mohr through a phone app.

This case was investigated by the Grand Island Police Department and Homeland Security Investigations.

Nicholas Andrew Travis

Nicholas Andrew Travis, age 33, of Omaha, Nebraska, was sentenced to 151 months' imprisonment for Receipt of Child Pornography. Travis will serve a 5-year term of supervised release and be required to register as a sex offender. Travis was also ordered to pay \$33,000 in restitution.

On January 24, 2020, special agents and task force officers with Homeland Security Investigations executed a search warrant at Travis's apartment at the Open Door Mission in Omaha. They seized Travis's cell phone. Travis admitted to the investigators that he had used his cell phone to download child pornography from the Internet while at his apartment in Omaha.

As one method to receive child pornography, Travis admitted that he had paid for access to a foreign provider to download child pornography. A forensic examination of Travis's cell phone revealed 3,127 images and videos depicting children, specifically girls between the ages of 3 to 10, engaging in sexually explicit conduct.

This case was investigated by the Council Bluffs Police Department and Homeland Security Investigations.

Robert Charles Shelton

Robert Charles Shelton, age 55, of Laughlin, Nevada, was sentenced to 10 years' imprisonment for Possession of Child Pornography. After his release from incarceration, Shelton will serve a 7-year term of supervised release. Shelton will be required to register as a sex offender. He was also ordered to pay a \$5,000 assessment to the Justice for Victims of Trafficking Act fund.

On October 16, 2019, the Gosper County Sheriff's Office stopped Shelton for speeding in Elwood, Nebraska. During a search of the vehicle, deputies found multiple thumb drives. Deputies were aware of his prior child sex conviction and asked Shelton if child pornography would be found on the thumb drives. Shelton answered, "probably." The deputies reviewed the thumb drives and found child pornography.

A search warrant was obtained and the thumb drives were reviewed by the Nebraska State Patrol. There were a total of 107 images/pictures of children engaging in sexually explicit conduct on the thumb drives. One such image depicted a nude female approximately 4 to 7 years in age in ankle and wrist restraints. Another image depicted this 4- to 7-year-old performing oral sex on an adult male. Shelton had prior sexual assault convictions at the time he was found with child pornography. Specifically, Shelton was convicted of two counts of Attempted Sexual Abuse in the First Degree in Clackamas County, Oregon on January 4, 2000.

This case was investigated by Homeland Security Investigations, the Nebraska State Patrol, and the Gosper County Sheriff's Office.

VIOLENT CRIME

Ramon Simpson

Ramon Simpson, 51, of Norfolk, Nebraska, was sentenced to life imprisonment for Kidnapping Resulting in Death and Conspiracy to Commit Kidnapping. Simpson was convicted by a jury in March following a 7-day jury trial.

The victim, Phyllis Hunhoff, regularly traveled from her home in Yankton, South Dakota to her mother's home in Utica, South Dakota. On November 4, 2018, at approximately 9:45 p.m., Phyllis Hunhoff left her mother's residence, alone, to drive home to Yankton. Having not heard from Phyllis, her mother began repeatedly calling her phone to determine her whereabouts.

Simpson, Joseph James, and other men were near Hunhoff's mother's residence as she was leaving. James and Simpson encountered Hunhoff outside of the residence and got into her car with her inside.

Simpson and James kidnapped Phyllis Hunhoff and took Hunhoff and her vehicle to Norfolk, Nebraska, arriving at about 11:00 p.m. When they arrived in Norfolk, James remained in the vehicle and Simpson exited the vehicle with James's cellular phone. James drove Phyllis Hunhoff's vehicle, with her inside, to the Santee Sioux Indian Reservation in Knox County, Nebraska. Simpson proceeded to delete communications and location data from James's phone detailing their travels and activities on November 4, 2018.

Video from a gas station on the Santee Reservation showed James driving Hunhoff's vehicle and putting gasoline into her vehicle. Later, James returned in the same vehicle to the gas station and pumped gasoline into a soda bottle. James then drove to an isolated location on the Santee Reservation where he set fire to Hunhoff's body and her vehicle to conceal evidence of the murder and kidnapping.

On November 8, 2018, Hunhoff's body was located inside of her vehicle on the Santee Sioux Indian Reservation. Hunhoff had been killed by strangulation and stab wounds and then her body and vehicle were set on fire. Law enforcement officers investigated the murder and obtained evidence, including surveillance footage of James at the gas station during the early morning hours of November 5, 2018.

Santee Police recovered the shirt James was wearing when he killed Hunhoff. Her DNA was on James' shirt. James's DNA was on clothing Hunhoff was wearing when he killed her.

James eventually pleaded guilty to Murder in Indian Country on February 5, 2020, and on July 15, 2020, was sentenced to life imprisonment.

Steven M. Fitch

Steven M. Fitch, age 25, of Council Bluffs, Iowa, was sentenced to 30 months' imprisonment for unlawful possession of a destructive device. Once Fitch is released from prison, he will begin a three-year term of supervised release.

An investigation conducted by the Omaha Police Department, the Douglas County Sheriff's Office, the Federal Bureau of Investigation, and the Bureau of Alcohol, Tobacco and Firearms determined that on May 31, 2020, Fitch was participating in protests in and around downtown Omaha. During the protests, Fitch was encountered by officers with the Omaha Police Department at 15th and Jackson Streets. Officers determined Fitch possessed a destructive device, also known as a Molotov cocktail, which is a firearm under the National Firearms Act.

The Molotov cocktail was located in Fitch's front pants pocket and consisted of a glass bottle with clear liquid inside and a red rag protruding out of the opening. Fitch also had several lighters in his front pants pocket.

Douglas County Sheriff's Forensic Services Bureau tested the red rag that was attached to the Molotov cocktail, which was positive for "Gasoline." The Molotov cocktail was in operating condition and was capable of exploding when ignited. The Bureau of Alcohol, Tobacco, and Firearms determined that the Molotov cocktail device was not registered to Fitch as required by the National Firearms Registration and Transfer Record.

This case was investigated by the Omaha Police Department, the Douglas County Sheriff's Office, the Federal Bureau of Investigation, and the Bureau of Alcohol, Tobacco and Firearms.

WHITE COLLAR CRIME CASES

The USAO investigates and prosecutes a broad range of “white collar” offenses. Cases involving government program fraud, tax fraud, financial institution fraud, health care fraud and frauds targeting the elderly and other citizens are prosecuted every year. Prosecutions of such crimes can often yield substantial prison sentences and/or fines, along with restitution.

Omer Sagheer

Omer Sagheer, 48, of Omaha, Nebraska, was sentenced to 12 months’ and one day imprisonment for wire fraud. After his release from prison, Sagheer will begin a three-year term of supervised release. Restitution in the amount of \$232,390.39 was paid in full.

An investigation conducted by the Federal Bureau of Investigation determined that Sagheer was employed as Treasurer with The Scoular Company located in Omaha. Scoular is engaged in the purchase, sale, and transportation of agriculture commodities. During his employment, Sagheer had access to the company’s bank accounts and other financial documents, including checks made payable to Scoular.

From February 2017 through July 2019, Sagheer fraudulently endorsed and deposited into his personal bank account checks made payable to Scoular. Sagheer would typically deposit the checks through ATM machines into his personal bank account in order to avoid detection and to hide the fraud from his employer. Once the check was deposited into Sagheer’s bank account, he would electronically transfer funds from the bank account to financial accounts located in the United States and Canada.

The FBI determined that between February 2017 and July 2019 Sagheer endorsed and deposited into his personal bank account approximately 10 checks which totaled approximately \$232,390.39. The fraudulently deposited funds were used by Sagheer to pay for his personal “lifestyle” spending, which included expenses incurred during trips to Las Vegas, Nevada, and Canada; the purchase of a 2019 Mercedes-Benz convertible; numerous withdrawals of cash; and personal credit card payments.

This case was investigated by the Federal Bureau of Investigation.

John M. Vallery

John M. Vallery, 47, of Plattsmouth, Nebraska, was sentenced to 7 days’ imprisonment for loan fraud. Vallery will also serve a three-year term of supervised release. He was ordered to pay restitution in the amount of \$142,518.59, which Vallery paid at sentencing.

An investigation conducted by the USDA-OIG determined that on December 17, 2014, in the District of Nebraska, Vallery submitted a Request for Direct Loan Assistance to the United States Department of Agriculture’s (USDA) Farm Service Agency (FSA), for cattle and equipment purchases and 2015 crop and operating expenses. The request was submitted to the Otoe County, Nebraska FSA office and was signed by an FSA Farm Loan Officer. Vallery was approved for FSA operating loans, one of which was to be used only for the purchase of cattle.

Between February 19, 2015 and March 3, 2015, Vallery submitted materially false handwritten invoices to the FSA representing that the cost of cattle purchased with FSA loan proceeds was greater than what was actually paid for the cattle. The materially false invoices were submitted to the FSA for the purposes of obtaining an overpayment of loan funds, which funds were then used to pay for farming expenses not associated with the purchase of cattle as required by the terms of the loan.

The investigation determined that FSA loaned Vallery a total of \$274,380 for the purchase of livestock and equipment and to pay for 2015 crop and operating expenses. Of that loan amount, Vallery misused a total of \$142,518.59 obtained through falsified cattle invoices and the unauthorized sale of FSA collateral.

This case was investigated by the United States Department of Agriculture, Office of Inspector General (OIG) Investigations.

WHITE COLLAR CRIME CASES

Morgan L. Perkhiser

Morgan L. Perkhiser, 37, formerly of Omaha, Nebraska, was sentenced to 21 months' imprisonment for wire fraud. After her release from prison, Perkhiser will begin a two-year term of supervised release. She was also ordered to pay \$468,144 in restitution.

An investigation conducted by the Federal Bureau of Investigation determined that from December 2015 through December 2018 Perkhiser was employed by Omaha real estate business D. Thompson Realty as a junior office manager and bookkeeper. While employed by D. Thompson Realty, Perkhiser had access to D. Thompson Realty bank accounts, checks, and other financial documents. Perkhiser was authorized to write and sign checks issued from the D. Thompson Realty bank accounts for certain approved business-related purposes.

While working for D. Thompson Realty, Perkhiser electronically deposited into her personal bank account unauthorized checks written by Perkhiser made payable to herself or her husband. On certain checks written to her husband, Perkhiser would fraudulently represent on the checks that payment was for legitimate business purposes. In fact, those checks did not relate to any legitimate business purpose and were not authorized.

Checks written by Perkhiser made payable to herself were also not authorized by D. Thompson Realty and were not related to certain approved business-related purposes. Perkhiser used her position with D. Thompson Realty as junior office manager and bookkeeper to conceal the unauthorized checks from her employer.

To deposit each unauthorized check, Perkhiser would take a digital picture of the front and back of the unauthorized check with her cellphone and then using her bank's mobile application, she would transmit (i.e. wire) those digital images in interstate commerce from the State of Nebraska to her bank's servers, which are located in the State of California. Once the image of an unauthorized check was wired by Perkhiser, the fraudulently obtained funds were credited to defendant's bank account.

From December 2015 through December 2018 Perkhiser wrote approximately 190 unauthorized checks that were negotiated from D. Thompson Realty bank accounts to Perkhiser's personal bank accounts or the account of her husband. Loss to D. Thompson Realty totaled \$468,144. Perkhiser used the fraudulently obtained funds to pay for personal "lifestyle" expenses, which included online shopping, food, and other entertainment.

This case was investigated by the Federal Bureau of Investigation.



INDIAN COUNTRY

The USAO has jurisdiction over major crimes committed on the Omaha, Winnebago and Santee Indian Reservations.

The Omaha and Winnebago reservations are contiguous to one another and are situated 80 miles north of the City of Omaha. The Santee Sioux Reservation is located 190 miles northwest of the City of Omaha and 115 miles west of the Winnebago and Omaha reservations.

The population on the Winnebago Indian Reservation is approximately 2,600. The Omaha Reservation is home to 5,200 Native Americans, and the Santee Sioux has approximately 800 people residing on their reservation.

Although Nebraska was originally designated as a Public Law 280 state, each of these reservations has “retroceded” so that the USAO has jurisdiction under Title 18, United States Code, Section 1153 for major crimes committed by Native Americans against other Native Americans or property owned by other Native Americans. Additionally, the USAO has jurisdiction under Title 18, United States Code, Section 1152 for all offenses committed by non-Native Americans against Native Americans or property owned by Native Americans.

Federal laws of general applicability which are not dependent on Indian Country or exclusive federal jurisdiction as a jurisdictional basis also apply in Indian Country. These crimes include, but are not limited to, mail and wire fraud, felon in possession of a firearm, use of a weapon during a crime of violence, interstate violence against women, interstate violation of protection orders, and illegal distribution of controlled substances.

Felony assaults, rapes, child sexual assaults and child physical abuse are the main offenses routinely prosecuted federally on the three reservations. The Federal Bureau of Investigation (FBI) assumes primary responsibility for these investigations on the Omaha and Santee Sioux Reservations to investigate major crimes. A Bureau of Indian Affairs (BIA) criminal investigator assumes primary responsibility on the Winnebago Reservation.

There is one Bureau of Indian Affairs (BIA) investigator assigned in Nebraska and this agent covers criminal matters on the Winnebago Reservation.

The Winnebago Reservation is covered by uniformed BIA sworn officers with federal certification and Winnebago Tribal Police officers without federal certification. The Omaha Reservation and the Santee Sioux Reservation are covered by tribal officers who do not have federal certification.

The USAO, dedicates a Tribal Liaison AUSA, and several other AUSAs to the prosecution of Indian Country cases. The Tribal Liaison AUSA assists in the coordination among the three tribes and local, state, and federal investigators and prosecutors; bridges gaps in jurisdictional coverage; establish cohesive relationships between federal prosecutors and tribal communities; and improve the quality of violence against women cases through effective case management.

All three reservations have domestic violence shelters. The AUSA and the Victim advocates work closely with the directors of these shelters in regard to domestic violence cases. The shelter directors are kept informed of the status of cases concerning their residents and the directors aid in facilitating contact with victims. The USAO Tribal Liaison, and the Victim advocates are members of the Child Abuse multi-disciplinary teams for the tribes. These teams monitor the coordination of services in regard to child abuse and neglect cases.

Ponca Tribe of Nebraska

The Ponca Tribe of Nebraska with a population of slightly more than 3,100 nationwide, does not have a reservation. In 1858, the Ponca Tribe relinquished most of its land to the federal government. In 1962, Congress terminated its relationship with the Ponca Tribe. However, federal recognition was restored in 1990 when Congress re-recognized the Ponca Tribe. Although the Ponca Tribe lacks a land base in Nebraska, the Tribe does have designated “Service Delivery Area” counties; fifteen counties in Nebraska with 1,100 members in these counties.

INDIAN COUNTRY CRIME

The following cases highlight some of the Indian Country cases prosecuted on the Omaha, Winnebago and Santee Indian Reservations in 2021.

Taylor Grant

Taylor Grant, 34, was sentenced to 108 months' imprisonment for Assault Resulting in Serious Bodily Injury. After his release from prison, Grant will serve 3 years of supervised release.

The evidence at trial showed that on June 2020, an officer with the Omaha Nation Law Enforcement Services responding to a report of an assault located the victim walking in the road. The victim was nearly unrecognizable due to the severity of her injuries. She was taken to the hospital where she eventually received surgery to repair a broken jaw. The victim reported that she had been assaulted by Grant during the previous night and that he would not let her leave to get help.

Grant has a prior federal conviction for assault resulting in serious bodily injury and a prior state conviction for first degree assault.

This case was investigated by the Omaha Nation Law Enforcement Services and the Federal Bureau of Investigation.

Jeremiah Denney

Jeremiah Denney, 35, was sentenced to 77 months' imprisonment for strangulation. After his release from prison, Denney will serve 3 years of supervised release.

In January 2021, the victim reported to Santee Sioux Nation Tribal Police that Denney had chased her, grabbed her, and beat her. The victim reported that Denney had strangled her using both hands around her neck. The victim also had a puncture wound to her face where Denney had bit her.

This case was investigated by the Santee Sioux Nation Tribal Police and the Federal Bureau of Investigation.

Rodney Thomas

Rodney Thomas, 41, was sentenced to prison on two counts of abusive sexual contact with a minor and one count of terroristic threats.

He received 24 months' imprisonment on each count of abusive sexual contact, 36 months' imprisonment for terroristic threats, and 12 months' imprisonment on a violation of supervised release, to be served consecutively, for a total of 96 months' imprisonment. After his release from prison, Thomas will serve 5 years of supervised release.

In November 2019, a man contacted Winnebago Police and stated that his fifteen-year-old daughter had reported being inappropriately touched by Thomas. During the investigation, four minor females reported that a group of them had been hanging out at a house when Thomas, a friend of the homeowner's father, came over to the house intoxicated. Three of the minor females reported that Thomas had touched them inappropriately over their clothing or attempted to do so. When the girls learned that Thomas had done the same to each of them, they confronted Thomas, who threatened to kill them and their families.

Thomas had been released from federal prison approximately four days prior to the incident. Thomas was also subject to sex offender registration requirements due to a 2004 conviction for sexual abuse of minors.

This case was investigated by the Winnebago Police Department, Thurston County Sheriff's Office, and the Federal Bureau of Investigation.

DRUG ENFORCEMENT UNIT

The fight against illegal drug trafficking continued to be a major priority of the USAO in 2021. Nebraska is a significant trans-shipment area for drug traffickers due to its location in the central United States, between western drug sources and eastern drug markets, and a major interstate and other highways which pass through the State. Omaha, Lincoln, Grand Island, and other Nebraska cities serve as redistribution points for drug markets within Nebraska and neighboring states and markets, and to smaller rural communities within the District.

The Drug Unit Chief for the United States Attorney's Office is headed up by AUSA Susan Lehr. The coordinated efforts of Assistant United States Attorneys (AUSAs) and Special Assistant United States Attorneys (SAUSAs) address the comprehensive threat posed to the United States and the District of Nebraska by the trafficking, diversion and abuse of illegal drugs. SAUSAs from the Douglas County Attorney's Offices have multiplied the prosecutorial resources dedicated to this effort.

Attorneys who prosecute drug cases are supported by the cooperative investigative efforts of federal, state and local enforcement agencies throughout the District. To enforce the Nation's drug and firearm laws, prosecutors in the Drug Enforcement Unit obtained 252 indictments charging 339 defendants.

Featured below are of some of the significant drug case sentencings in 2021.

Reiko Elio Penunuri

Reiko Elio Penunuri, 42, of Arizona, was sentenced to 240 months' imprisonment for conspiracy to distribute methamphetamine and for use of facilities in interstate commerce in aid of racketeering. A cellular phone is a "facility" as used in the relevant criminal statute. After his release from prison, Penunuri will serve a 5-year term of supervised release.

During the first few months of 2018, investigators intercepted wire and electronic communications among co-defendant Jasive Zamora-Carrillo, Penunuri, and co-defendants involving methamphetamine trafficking in the Omaha, Nebraska, and Council Bluffs, Iowa, metropolitan areas. Penunuri was among the persons intercepted and identified during the investigation.

During that time, Penunuri, acting in agreement with others, distributed pound and multi-pound quantities to local customers. In furtherance of his methamphetamine trafficking activities, Penunuri traveled interstate between Nebraska, Arizona, and Iowa, and used a cellular phone in interstate commerce.

On June 5, 2018, investigators arrested several members of the drug trafficking organization. Investigators also executed search warrants at several locations and recovered more than 10 pounds of methamphetamine, drug ledgers, bank records, several firearms (including an AR-15 style rifle), and \$22,000 of U.S. Currency, which has been forfeited to the United States as drug proceeds. Investigators thereafter learned that Penunuri left the local area and traveled to Mexico on the morning of June 3, 2018. Penunuri, a U.S. Citizen, resided in Hermosillo, Mexico until U.S. Customs and Border Patrol arrested him on September 26, 2019, at a location near Nogales, Arizona.

Ten defendants were indicted in this case and nine have now been sentenced. The remaining fugitive, Jose Cruz Jauregui-Preciado, has yet to be arrested. Several related narcotics and firearms cases were prosecuted in the District of Nebraska and the Southern District of Iowa as a result of the overall investigation.

The investigation confirmed that Zamora-Carrillo was a multi-pound methamphetamine trafficker supplied primarily by Penunuri and his cousin, co-defendant Ramon Penunuri-Noriega. Penunuri used a series of Airbnb rentals and storage units located throughout the Omaha area and in Iowa in furtherance of methamphetamine trafficking. Zamora-Carrillo and Penunuri-Noriega were each previously sentenced to 168-month terms of imprisonment.

This prosecution is part of an Organized Crime Drug Enforcement Task Forces (OCDETF) investigation. The case was investigated primarily by the Drug Enforcement Administration, Omaha Field Division, the Omaha Police Department, and the Southwest Iowa Narcotics Task Force. The United States Marshals Service in the District of Nebraska was instrumental in locating and facilitating the arrest of Penunuri while he was in fugitive status.

DRUG TRAFFICKING CASES

Keevan Craig Dean

Keevan Craig Dean 56, of Omaha, Nebraska, was sentenced to 360 months with a five-year term of supervised release to follow for conspiracy to possess with intent to distribute 500 grams or more of methamphetamine and for conspiracy to launder the proceeds from the drug conspiracy.

In mid-2017, a Drug Enforcement Administration taskforce initiated Operation Dog Pound, which was a drug interdiction effort focused on an Omaha drug trafficking organization headed by Dean. In September 2018, task force members were authorized to intercept and monitor Dean's phone calls and text messages. As the scope of the organization was revealed, task force members were able to determine who was involved and how methamphetamine was being brought to Nebraska for distribution.

Numerous multi-pound packages containing methamphetamine that were being sent via the United States Postal Service were seized, as well as the interdiction of a car traveling from California to Nebraska with 10 pounds of methamphetamine. Operation Dog Pound ended on November 16, 2018, when numerous federal arrest warrants were executed in Nebraska, Iowa, and California. During the November takedown, \$55,000, 9 firearms, 2.75 pounds of methamphetamine, a Mercedes Benz, and \$30,000 in jewelry and valuables were seized.

Some of the notable members of the conspiracy that were convicted in federal court included Autumn Vanosdol, Katina Martinez, Timothy Agee, Travis Harvey, and Francis Peebles. Vanosdol was sentenced to 96 months in prison for money laundering and mailing packages of methamphetamine from California to Dean.

Martinez was sentenced to 84 months in prison for assisting Dean distribute methamphetamine in Nebraska and Iowa and for money laundering. Agee was sentenced to 280 months in prison for money laundering, possessing a stolen firearm, and receiving packages of methamphetamine for Dean.

Peebles was sentenced to 120 months and Harvey to 240 months in prison. Both were multi-pound methamphetamine distributors that received methamphetamine from Dean.

Operation Dog Pound was part of an Organized Crime Drug Enforcement Task Forces (OCDETF) investigation. OCDETF identifies, disrupts, and dismantles the highest-level drug traffickers, money launderers, gangs, and transnational criminal organizations that threaten the United States by using a prosecutor-led, intelligence-driven, multi-agency approach that leverages the strengths of federal, state, and local law enforcement agencies against criminal networks.

This case was investigated by the Drug Enforcement Administration, Nebraska State Patrol, U.S. Customs and Border Protection, Omaha Police Department, Bellevue Police Department, U.S. Postal Inspection Service, and the U.S. Attorney's Office.

John Wizinsky

John Wizinsky, 57, of Grand Island, Nebraska, was sentenced to 262 months' imprisonment for Distribution of 50 grams or more of methamphetamine. After his release from prison, he will begin an 8-year term of supervised release.

On October 10, 2019, a confidential informant purchased 52 grams of actual methamphetamine from Wizinsky at the Pump and Pantry in Grand Island. On September 28, 2020, Wizinsky was arrested on his federal warrant, and he had another 25 grams of actual methamphetamine in his rear pocket. Wizinsky was responsible for 77 grams actual methamphetamine and was found to be a career offender for having two prior felony convictions for controlled substance offenses.

This case was investigated by the Nebraska State Patrol.



DRUG TRAFFICKING CASES

Francisco Herrera

Francisco Herrera, 37, of Sterling, Colorado, was sentenced to 262 months' imprisonment for possession with intent to distribute 500 grams or more of methamphetamine. Herrera has at least two prior drug convictions, which classified him under the U.S. Sentencing Guidelines as a career offender. This enhanced his sentencing guideline range to 262-327 months. After his release from prison, he will begin a five-year term of supervised release.

On May 10, 2019, local law enforcement executed a search warrant on a residence in Sidney, Nebraska. During the execution of that search warrant, Herrera's vehicle was located in the driveway. Law enforcement obtained a search warrant for his vehicle, where approximately ten pounds of methamphetamine were seized.

This case was investigated by the Sidney Police Department.

Eric Neville

Eric Neville, age 40, of Arizona, was sentenced to 211 months' imprisonment for conspiracy to distribute methamphetamine, possession with intent to distribute methamphetamine, felon in possession of a firearm, and using a firearm during a drug trafficking offense. After completing his term of imprisonment, Neville will begin a 5-year term of supervised release.

On February 28, 2020, officers executed a search warrant at Neville's hotel room in Omaha. Officers located 399 grams of methamphetamine, heroin, an AR-15 rifle, more than \$6,645, drug packaging, and a drug scale. Officers searched a Mercedes related to the trafficking and located another 304 grams of methamphetamine.

Neville and others were trafficking narcotics in the Omaha area. Prior to this narcotics trafficking in Omaha, Neville had a conviction in Arizona for aggravated assault (2009) and a conviction for possession of heroin for sale and misconduct involving weapons (2014). His 2014 Arizona drug and firearm conviction resulted in a 3.5 year prison sentence.

The case was investigated by the Omaha Police Department.

Robert Earl Partee

Robert Earl Partee, II, 28, of Lincoln, Nebraska, was sentenced to 225 months in prison followed by a 5-year term of supervised release for conspiracy to distribute 500 grams or more of a mixture of substance containing methamphetamine.

An investigation by law enforcement that included phone analysis, traffic stops, and other investigatory techniques uncovered that from the middle of 2018 until the end of November of 2019, Partee was purchasing methamphetamine and reselling it in large amounts in the Lincoln area. In total, Partee purchased at least 70 pounds of methamphetamine for resale to others.

During this time, law enforcement twice seized methamphetamine from Partee and his vehicle. On April 30, 2019, officers stopped Partee's vehicle for a traffic violation and found more than 300 grams of methamphetamine in the vehicle. Later, on November 13, 2019, law enforcement found methamphetamine on Partee's person during a traffic stop of his vehicle.

This case was investigated by the Lincoln/Lancaster County Narcotics Task Force.

Fermin Heredia-Lopez

Fermin Heredia-Lopez, 29, was sentenced to 210 months' imprisonment for conspiracy to distribute methamphetamine and cocaine. He will begin a 5-year term of supervised release. Heredia is from Sinaloa, Mexico and will be deported at the completion of his prison term.

In 2019, Heredia was identified by investigators as a cell head for a Mexico-based drug trafficking organization responsible for the distribution of methamphetamine and cocaine in the Omaha metropolitan area. Investigators obtained authorization to wiretap defendant's cell phone, which began on December 27, 2019. During the wiretap, investigators intercepted incriminating communications between Heredia and his Mexico-based source of supply and determined that Heredia was in possession of a significant quantity of methamphetamine.

DRUG TRAFFICKING CASES

Investigators obtained search warrants for two residences in Omaha associated with the defendant and executed the warrants on January 11, 2020. Heredia was arrested at that time. Investigators seized over 32 lbs. of methamphetamine, 455 grams of cocaine, and \$10,300 in drug proceeds. Additionally, they collected several kilogram quantity wrappings for cocaine, and wrappings for multiple additional pounds of methamphetamine.

This prosecution is part of an Organized Crime Drug Enforcement Task Forces (OCDETF) investigation. OCDETF identifies, disrupts, and dismantles the highest-level drug traffickers, money launderers, gangs, and transnational criminal organizations that threaten the United States by using a prosecutor-led, intelligence-driven, multi-agency approach that leverages the strengths of federal, state, and local law enforcement agencies against criminal networks.

The case was primarily investigated by the Drug Enforcement Administration, Omaha Field Division.

Morgan Brown

Morgan C. Brown, 25, of Blair, Nebraska, was sentenced to 200 months of imprisonment for methamphetamine drug conspiracy and a consecutive 60 months of imprisonment for the use of the firearm in relation to the drug conspiracy to distribute 50 grams or more of actual methamphetamine. Brown was also sentenced to a 5-year term of supervised release on the conspiracy conviction and a 2-year term of supervised release on the firearm conviction to run concurrently.

On June 5, 2019, Brown was searched pursuant to a probation condition from a prior drug-possession conviction, and law enforcement found her in possession of more than \$8,000 in United States currency, a gun, drug paraphernalia, and a digital scale. On August 16, 2019, law enforcement stopped Brown's vehicle near Lincoln, Nebraska, and found in the vehicle drug paraphernalia, a digital scale, and a package containing more than 250 grams of methamphetamine.

In total, Brown was involved in the trafficking of at least 50 pounds of methamphetamine from July 2018 until August 2019. Over the course of the investigation, law enforcement seized more than \$30,000 from Brown as the proceeds of drug distribution.

This case was investigated by the Omaha Police Department and Lincoln/Lancaster County Narcotics Task Force.

Edward Glen Summers

Edward Glen Summers, 51, of Council Bluffs, Iowa, was sentenced to 180 months with a five-year term of supervised release to follow. This sentence included an additional five-year term of incarceration for having a prior federal drug conviction. He was convicted of Conspiracy to Distribute and Possess with Intent to Distribute 500 grams or more of methamphetamine.

Beginning in mid-2018, a Drug Enforcement Administration task force started investigating the methamphetamine distribution operation of Short in the Omaha, Nebraska, metro area. This investigation included a court ordered Title III interception of phone calls and text messages, allowing agents to identify the scope of the conspiracy and its members. Summers was identified as someone buying and selling multi-pound quantities of methamphetamine with Short.

On December 19, 2019, special agents with the DEA, assisted by the Nebraska State Patrol, Omaha Police Department, and Pottawattamie County (Iowa) Sheriff's Office, executed numerous arrest and search warrants on conspirators, including Summers. At Summers' residence, 62 grams of methamphetamine, 2 firearms, and \$42,340 were seized.

This case was investigated by the DEA, Omaha Police Department, Nebraska State Patrol, Internal Revenue Service Criminal Investigations, and the Pottawattamie County (Iowa) Sheriff's Office.

DRUG TRAFFICKING CASES

Dale Roberson

Dale Roberson, age 37 of Grand Island, Nebraska, was sentenced to 180 months' imprisonment for Conspiracy to Distribute Methamphetamine. After completing his term of imprisonment, Roberson will be required to serve a 10-year term of supervised release. As of early 2018, Roberson was distributing large amounts of methamphetamine to people in the Grand Island area and continued doing so into May 2020. Many of the transactions occurred at Roberson's Grand Island residence. Police surveillance captured short-term traffic occurring at Roberson's residence during portions of this time period.

Investigators found social media communication between Roberson and others discussing the exchange of methamphetamine, money, drug use, and trips to other states to obtain drugs.

During a search of Roberson's residence, officers found methamphetamine, a firearm, ammunition, and drug paraphernalia including items used to redistribute methamphetamine to others.

This case was investigated by the Grand Island Police Department and the Central Nebraska Drug and Safe Streets Task Force, which is made up of officers from the Grand Island Police Department, Hall County Sheriff, Hastings Police Department, Adams County Sheriff, Kearney Police Department, Buffalo County Sheriff, Nebraska State Patrol, Homeland Security Investigations and the Federal Bureau of Investigation.

Esteban Morales

Esteban G. Morales, age 26, of Omaha, Nebraska, was sentenced to 151 months on charges of methamphetamine and cocaine distribution. On October 23, 2017, Morales sold four ounces of methamphetamine to a source working with law enforcement in Omaha. On August 29, 2018, he sold four ounces of cocaine to the same source in Omaha.

This case was investigated by the Federal Bureau of Investigation.

Jerah S. Stovall

Jerah S. Stovall, 35, of Lincoln, Nebraska, was sentenced to 19 years and seven months in federal prison for conspiracy to distribute and possession with intent to distribute 500 grams or more of methamphetamine mixture and an unspecified amount of marijuana; after a conviction for a serious drug felony between January of 2015 and May of 2020. Following her prison term, Stovall will serve five years on supervised release.

Information provided to law enforcement indicated that Stovall was responsible for the distribution of at least five kilograms (11 pounds) of methamphetamine mixture and at least 20 kilograms (44 pounds) of marijuana in the Lincoln area. On April 9, 2020, a search warrant was executed at the Lincoln residence of Stovall and Jason Mullen.

During that search, officers found approximately 2/3 ounce of methamphetamine and approximately six ounces of marijuana as well as a digital scale, packaging materials and a .380 caliber handgun with ammunition.

Stovall's purse had over \$1,000 in cash in it. On May 1, 2020, officers were looking for Mullen on an outstanding warrant, and they saw Stovall with Mullen and a third person. Stovall's driver's license was suspended, so her car was seized and searched, resulting in the finding of more than ¼ ounce of marijuana in her make-up bag. Mullen was also found to be in possession of a small amount of marijuana and some cash.

Stovall had a 2013 conviction from Scotts Bluff County for Distribution of Methamphetamine.

Mullen also pled guilty to the conspiracy charge with a prior serious drug felony conviction, and was sentenced to 262 months imprisonment and 10 years of supervised release.

This case was investigated by the Lincoln/Lancaster County Narcotics Task Force and the Drug Enforcement Administration (DEA).

DRUG TRAFFICKING CASES

Carlos Jesus Lorenzana

Carlos Jesus Lorenzana, 35, of Lincoln, Nebraska, was sentenced to 17 ½ years in federal prison for conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine actual (pure) and 500 grams or more of methamphetamine mixture between June of 2019 and February of 2020.

Lorenzana was also ordered to forfeit any interest he had in \$3,910.00 in United States currency. Following his prison term, Lorenzana will serve five years on supervised release. He is likely to be deported to Guatemala at the end of his prison term.

Information provided to law enforcement indicated that Lorenzana was responsible for the distribution of at least 150 grams (approximately 5 1/3 ounces) of methamphetamine actual (pure) and at least 45 kilograms (99 pounds) of methamphetamine mixture in the Lincoln area. On February 18, 2020, Lorenzana gave a Lincoln Police Department officer permission to search his pickup truck. During the search, a plastic bag containing approximately 183 grams (6 ½ ounces) of methamphetamine was found. Testing at the Nebraska State Patrol Crime Lab showed at least 170 grams (6 ounces) of actual (pure) methamphetamine.

A search of Lorenzana's wallet resulted in the finding of \$3,910 in cash along with a leather journal containing suspected drug sales records.

This case was investigated by the Lincoln/Lancaster County Narcotics Task Force and the Drug Enforcement Administration.

Andrea Gall

Andrea Gall, 22, of Grand Island, Nebraska, was sentenced to 10 years in federal prison for possessing 50 grams or more of actual or pure methamphetamine with the intent to distribute. Following her prison term, Gall will serve five years on supervised release.

On October 4, 2019, Jose Negrete was on probation and a state probation officer stopped by Andrea Gall's and Negrete's house in Grand Island to conduct a home inspection.

The probation officer observed a .22 caliber handgun. Negrete first asserted that the gun was a toy, and later admitted it was a real firearm. Negrete had been previously convicted of a felony offense and he is prohibited from possessing firearms. The police obtained a search warrant. Inside the home, they found about \$20,000 in United States currency and more than a pound of methamphetamine. The methamphetamine was later sent to the Douglas County Sheriff's Office's Forensic Services Bureau. Testing completed by their laboratory showed that the drugs contained at least 514 grams of actual or pure methamphetamine.

Negrete pleaded guilty on August 26, 2021 to possessing 50 grams or more of actual methamphetamine with the intent to distribute, possessing a firearm in furtherance of a drug trafficking crime, and three counts of distribution of methamphetamine. He was sentenced to 138 months.

This case was investigated by the Central Nebraska Drug and Safe Streets Task Force, which is made up of officers from the Grand Island Police Department, Hall County Sheriff's Department, Hastings Police Department, Adams County Sheriff's Department, Kearney Police Department, Buffalo County Sheriff's Department, Nebraska State Patrol, Homeland Security Investigations, and the Federal Bureau of Investigation.

Daniel Cerna Sr.

Daniel Cerna, Sr., age 38, of Omaha, Nebraska, was sentenced 188 months in prison for Intent to Distribute Methamphetamine. Cerna also forfeited all rights to \$4,251 in U.S. currency seized during the investigation. After completing his term of imprisonment, Cerna will be required to serve an 8 -year term of supervised release. There is no parole in the federal system.

On July 19, 2018, Omaha Police Officers executed a search warrant on Cerna's Omaha residence. Inside officers found Cerna, approximately 23 grams of actual methamphetamine, drug scales, numerous unused baggies, and \$4,251 in U.S. currency. While officers were conducting the search, Cerna made a voluntary statement that all the drugs in the house were his.

This case was investigated by the Omaha Police Department.

DRUG TRAFFICKING CASES

Raymond Michael Maestas and Jaesa S. Vaughn

Raymond Michael Maestas, 28, and his wife, Jaesa Suzanne Vaughn, 28, both of Lincoln, Nebraska, were sentenced to federal prison for possession with intent to distribute 500 grams or more of methamphetamine mixture.

Maestas was sentenced to 15 years for possession with intent to distribute 500 grams or more of methamphetamine mixture with a prior conviction for serious violent felony (robbery). He also received a sentence of five years for using, carrying, and possessing a firearm in furtherance of a drug-trafficking crime. The sentence on the gun charge must be served consecutive to the sentence on the drug charge. Following his prison term, Maestas will serve ten years on supervised release.

Vaughn was sentenced to 10 years for possession with intent to distribute 500 grams or more of methamphetamine mixture. She will serve five years on supervised release after completing her prison term.

On February 28, 2021, a pickup driven by Maestas, in which Vaughn was the passenger, was stopped in Lancaster County for speeding. A Lancaster Sheriff's Office canine indicated the odor of narcotics on the passenger side door. The pickup was searched. A box was found inside a battery cover where the pickup's battery would normally be located. This box contained two locked safes containing three packages of methamphetamine weighing a total of approximately 1 ½ pounds, 13 Fentanyl pills and a vacuum-sealed Jimenez .380 handgun. The actual battery for the pickup was found hooked up near the passenger-side window.

A Hi-Point .45 caliber handgun was found under the center console inside the passenger compartment. A vacuum sealer was also found in the pickup. On the same date, a search warrant was executed at Maestas's and Vaughn's Lincoln residence. During that search, scales and packaging materials along with suspected drug sales records were found. These cases were investigated by the Lincoln/Lancaster County Narcotics Task Force.

Douglas Sibley

Douglas Sibley, 38, of Chicago, Illinois, was sentenced to 120 months in the Bureau of Prisons to be followed by a 5-year term of supervised release for conspiracy to possess with the intent to distribute fentanyl.

On March 5, 2019, investigators with the commercial interdiction unit stopped Sibley at the Amtrack train station in Omaha, Nebraska. Sibley and several companions were passengers on a train that originated from Fullerton, California, and was bound for Chicago, Illinois.

Officers saw luggage on a rack above the seats where Sibley and his companions were seated, as well as near Sibley's feet. Officers requested permission to search the luggage which Sibley granted and a search warrant was lawfully obtained for a backpack that was locked. Inside the searched luggage, investigators found two vacuum sealed packages that tested positive for fentanyl in the amount of 2,045 grams.

The case was investigated by the Nebraska State Patrol, Douglas County Sheriff's Office and Drug Enforcement Administration.



CIVIL DIVISION

The USAO Civil Division is headed up by Steve Russell. Attorneys in the Civil Division of the United States Attorney's Office represent the United States, as well as federal agencies, officers, and employees, in civil litigation in federal and state courts throughout Nebraska.

Civil Division AUSAs work closely with lawyers from the federal agencies involved in each case to develop and present the position of the federal parties to the suit. Attorneys from the Department of Justice also assist in some civil litigation in the District of Nebraska.

Work on 397 civil cases and matters was completed in 2021, an increase of 249 cases from 2020. Included in that number are defensive cases in which the validity of federal laws, or the acts of federal agencies and employees, were challenged. Also included were affirmative cases brought to enforce federal statutory and regulatory requirements, and to collect debts owed to the United States.

The Department of Homeland Security, Internal Revenue Service, Social Security Administration, and the Department of Justice, were the agencies involved in the largest number of civil cases in the District during 2021. There was a significant increase in the number of civil immigration cases and bankruptcy proceedings filed this past year. In 2021, the number of foreclosures increased after COVID-19 related financial assistance policies were lifted.

In 2020, the pandemic stalled the progress of many different types of cases handled by the Civil Division which resulted in large part to the increase in 2021. A variety of cases involving the agencies within the Department of Justice also made up a significant portion of the overall civil workload again this past year.

A primary function of the Civil Division is to provide quality representation to the United States and its agencies and officers in defensive litigation in federal and state court. During 2021, Civil Division AUSAs defended a number of cases brought in federal court to set aside or modify the actions of federal agencies and officers.

Civil Division AUSAs also handled several cases seeking damages for alleged negligence or other wrongful conduct by federal employees, as well as cases alleging discrimination in federal employment.

In the area of affirmative litigation, the Civil Division continued its Affirmative Civil Enforcement (ACE) program, which involves various initiatives designed to collect civil monetary penalties and damages for violations of federal law, to recover costs incurred by agencies as a result of violations of federal statutes and regulations, and to obtain compliance with the requirements of federal law through civil litigation.

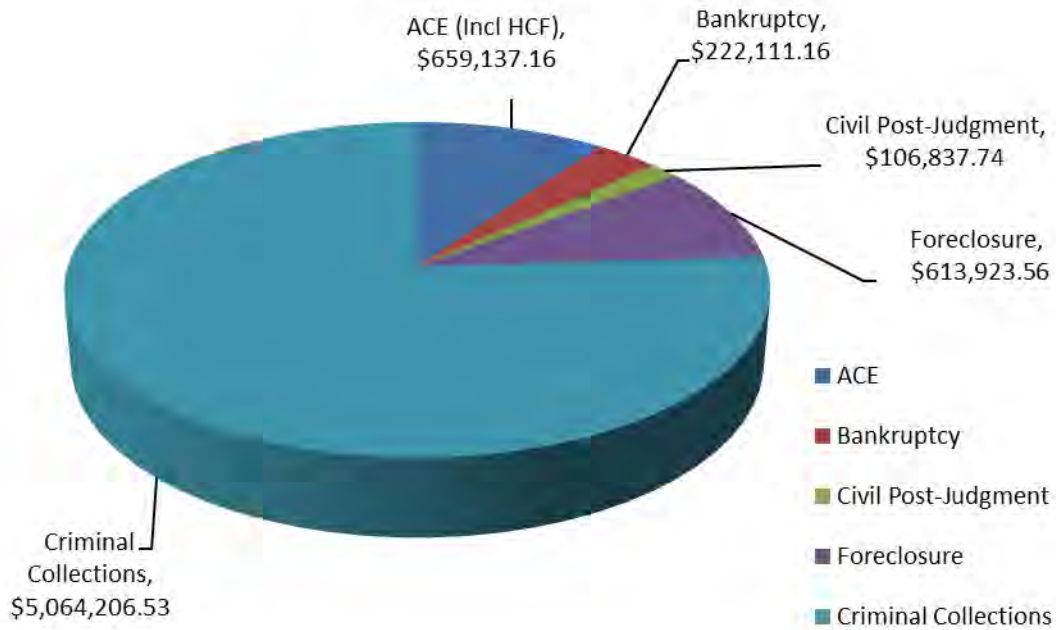
The United States Attorney's Office ACE program includes an active Health Care Fraud Task Force made up of civil and criminal AUSAs, Special AUSAs from the Nebraska Attorney General's Office, investigators from various state and federal agencies, and representatives of insurance providers and intermediaries. The task force approach enhances communication regarding the investigation of health care fraud in the District of Nebraska, and allows oversight agencies to pursue cases in the manner most effective to deter fraudulent activity and recover losses.

As in most years, Civil Division AUSAs also conducted a significant amount of litigation in 2021 to collect debts owed to the United States. Suits to obtain judgments for unpaid balances of delinquent loans made by agencies such as the U.S. Department of Agriculture, the U.S. Department of Education, the U.S. Department of Veteran's Affairs, and the U.S. Department of Health and Human Services comprise a significant portion of the Office's civil workload.

Those cases are litigated in federal district court, in bankruptcy court, and in state courts throughout Nebraska. All told, the Financial Litigation Unit, within the Civil Division, collected slightly more than \$6.6 million dollars.

CIVIL DIVISION

Nebraska Collections - Calendar Year 2021 1/1/2021 - 12/31/2021



Criminal Collections	\$5,064,206.53
Bankruptcy	222,111.16
Civil Collections	106,837.74
Foreclosure	613,923.56
ACE (Incl. HCF)	659,137.16

Total Collections for Calendar Year 1/1/2021 – 12/31/2021: \$6,666,216.15

CIVIL LITIGATION CASES

DEFENSIVE PROGRAM LITIGATION

Judicial Review of Administrative Action

Speedway Motors LLC v Shira Perlmutter, Register of Copyrights.

Speedway Motors, LLC is a Nebraska corporation that markets goods in the performance vehicle field, including parts for race cars, hot rods, and vintage cars. Speedway sought to register three new corporate logos with the U.S. Copyright Office, which denied the applications because the logos lacked the “minimal degree of creativity” needed to support a copyright claim. Speedway filed a lawsuit under the Administrative Procedure Act to seek judicial review of the U.S. Copyright Office’s decision. The Court granted summary judgment for the United States and found the U.S. Copyright Office had a satisfactory explanation and a rational connection between the facts found and the agency’s decision. The Court also found that the agency’s decision, despite its prior approval of protection for other logos, was not arbitrary and capricious. The case was handled by Main Justice, Commercial Litigation Branch of the Civil Division, with assistance from this office.

IMMIGRATION

Rauchkuoth Thok v. Berg – Thok filed a petition for habeas relief, seeking release from detention by U.S. Immigration and Customs Enforcement (ICE). The Board of Immigration Appeals vacated the Immigration Judge’s decision to defer Thok’s removal to South Sudan, and ICE took steps to obtain a travel document for Thok.

The District Court granted Thok’s request for an individualized bond review by the Immigration Judge, but the Court denied Thok’s request to be released from ICE custody.

Pooja Neema, et al v. Cuccinelli – One hundred thirty-eight individuals filed a lawsuit against the U.S. Citizenship and Immigration Services (USCIS) pursuant to the Administrative Procedure Act, seeking an order for USCIS to make final determinations on their petitions for nonimmigrant status and applications for employment authorization. The District Court denied Plaintiffs’ motion for a preliminary injunction because Plaintiffs did not show a likelihood of success on the merits.

The District Court granted USCIS’s motion to sever and transferred most of the Plaintiffs’ cases to Texas, California and Vermont, where their individual applications were pending. The Magistrate Judge denied Plaintiffs’ motion to conduct discovery because the Administrative Record filed with the Court was sufficient for judicial review of Plaintiffs’ claims, and Plaintiffs failed to make a strong showing of bad faith or improper motive. All of the Plaintiffs were dismissed after the USCIS adjudicated their applications, using the agency’s first-in, first-out process.

EMPLOYMENT LITIGATION

Lisa Jerabek v. Perdue – Jerabek, a U.S. Department of Agriculture (USDA) Program Technician with more than 30 years of experience, was reprimanded for failing to protect producer information, issued a poor performance review, placed on a Performance Improvement Plan, and eventually removed from employment for performance issues. Jerabek filed a lawsuit claiming discrimination based on her age and in retaliation for her protected EEO activity, in violation of the Age Discrimination in Employment Act and Title VII. The District Court granted summary judgment for the government, finding USDA had legitimate, nondiscriminatory reasons for its actions, and Jerabek failed to show USDA’s reasons were pretext for discrimination. The Court also dismissed a hostile work environment claim because none of the conduct which Jerabek complained about (supervisor was “friends” with other co-workers on social media, she photographed Plaintiff’s work mistakes and monitored her every move, and she left an inappropriate and hostile note to Plaintiff) had any connection with her age or EEO activity.

COMMERCIAL LITIGATION

United States v. Ashland Park Apartments Limited Partnership

The United States foreclosed on several promissory notes, mortgages, and assumption agreements of a multi-unit apartment complex involving the United States Department of Agriculture, Rural Housing Service. A Judgement in Rem and Decree of Foreclosure was entered, and the property was ordered sold by the Court. The property was sold by the United States Marshal for \$435,000.00. This was the largest foreclosure sale ever obtained by the United States Attorney’s Office.

CIVIL LITIGATION CASES

The amount collected for the property exceeded the amount owed to the United States. The remaining proceeds of the sale were returned to the previous owner.

FINANCIAL LITIGATION PROGRAMS

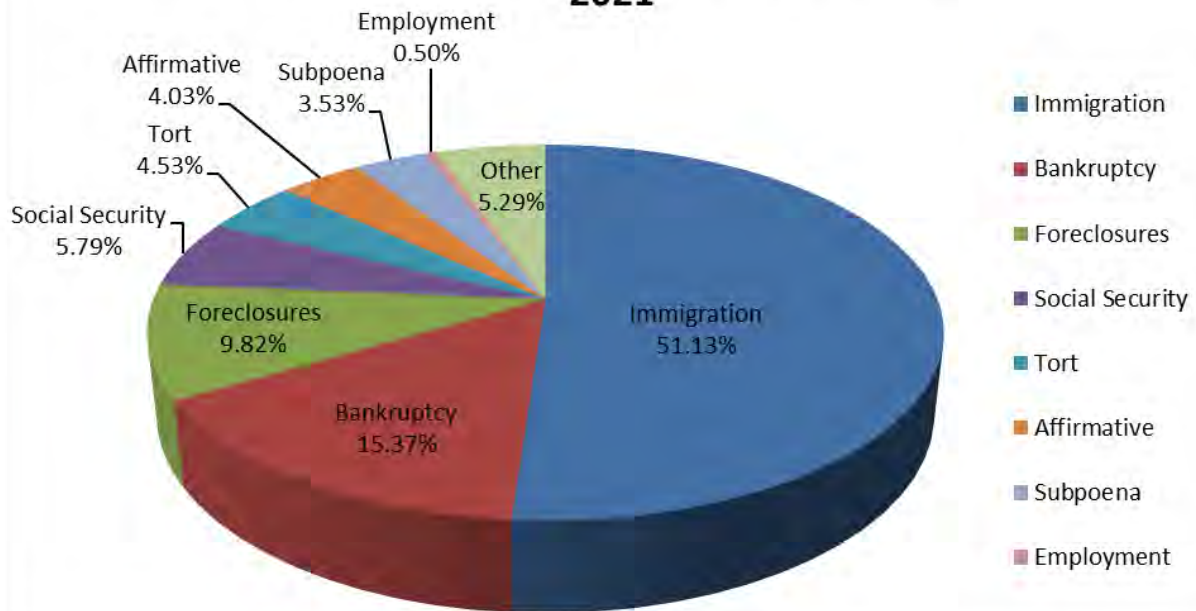
Collection of Judgments, Restitution and Criminal Fines

In separate criminal matters, the Financial Litigations Programs Unit (FLP) was successful in securing restitution payments of \$197,276, \$267,831, \$122,919, and \$69,881. These payments were provided to the victims of the criminal activity. In a noteworthy case, the FLP was able to garnish payments set to be made to 2 criminal defendants convicted in a Bank Fraud scheme involving TierOne Bank in Lincoln, Nebraska. Through the efforts of the FLP, the United States was able to garnish \$167,463.53 from one Defendant and \$1,877,355.19 from the other Defendant. In 2021, the FLP was able to collect over \$5 million dollars in criminal collections for the District of Nebraska.

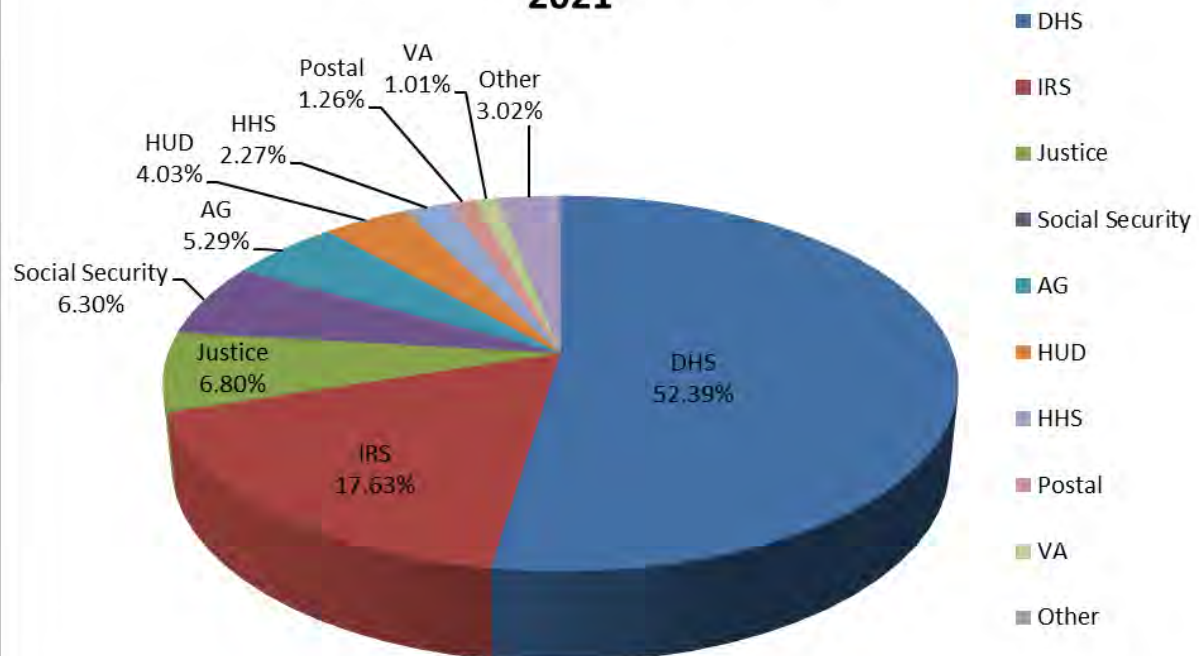


CIVIL DIVISION

Civil Cases Closed by Cause of Action 2021



Civil Cases Closed by Agency 2021



LAW ENFORCEMENT COORDINATION VICTIM SERVICES AND COMMUNITY OUTREACH

The USAO Law Enforcement and Community Coordination (LECC) and Victim's Unit facilitate a number of programs designed to support and coordinate the objectives of the criminal justice system at various levels. As a Unit they provide services to victims of federal crime; conduct training; and apprise the community at large about issues related to the criminal justice system. In 2021, the Unit continued its work to maintain strong collaborative partnerships with federal, state, tribal, and local law enforcement agencies to maintain the effectiveness of law enforcement in the District. The Law Enforcement Coordination/Victim Services Unit is headed up by Joe Jeanette. Jose Palacios leads the day-to-day activities of victim advocacy services, along with Makayla Heard.

The LECC works with the Nebraska Sheriff's Association, the Police Officers' Association of Nebraska, the Police Chiefs' Association of Nebraska, Nebraska Coalition for Victims of Crime and the Nebraska County Attorneys Association to develop and present training on various criminal justice topics.

The USAO, along with the School of Criminology and Criminal Justice at the University of Nebraska Omaha, Nebraska Department of Health & Human Services, Nebraska County Attorneys Association hosted a three-day conference, June 8-10, 2021, entitled Medicolegal Death Investigations. The training addressed a number of topics for participants involved in death investigations including forensic anthropology, environmental reconstruction of post-mortem events, and distinguishing between foul-play from alterations caused by other factors. Instruction included crime scene investigations, firearm and toolmark criminalistics, entomology, toxicology, technology in the courtroom, and laws pertaining to death investigations.

Other topics addressed first responder issues, vicarious trauma, and working with families of homicide victims. Those attending included medical, state/federal/tribal law enforcement, prosecutors, victim advocates, probation/corrections, and mental health and other allied professionals.

Outreach to the community and law enforcement agencies is a vitally important component of this Unit. One of the most successful initiatives in Omaha in regard to gun violence is Omaha 360, a collaborative effort under the Umbrella of Omaha's Empowerment Network. The Omaha Police Department gang units and precinct captains attend these weekly meetings with members of the community, government officials and non-profit organizations to focus on the timeline of gun violence and discuss on-going prevention efforts to address the gun violence.

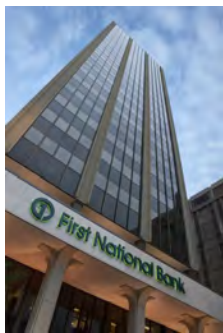
The 360 meetings are attended by the Law Enforcement Coordinator and Victim Advocates. The meetings feature shooting timeline reports, scheduling of prayer walks for homicide victims, mentoring efforts and reports of reward money paid out each week for gun assault/homicides from Omaha Crime Stoppers. Due to Covid-19 restrictions these meetings continued as an online format.

Victim assistance is of paramount importance for the USAO. The Victim's Unit provides victim advocacy services for federal prosecutions in the District. The Unit, funded by the Office for Victims of Crime, works with victims of federal crime from the time of the occurrence of the crime through the completion of the prosecution. The Victim Notification System (VNS) notifies victims of the status of investigations, as well as developments in cases accepted for prosecution. Victim services include information and assistance with travel and lodging related to court appearances, courtroom support, and referrals to other agencies for counseling, shelter, and other assistance. The Victim Assistance Unit provides oversight and coordination to the Multi-disciplinary Child Abuse Investigation Teams located on the three Tribal Reservations.

In 2021 VNS provided 23,309 notices to victims of federal crime in Nebraska. There were 112 new victim cases involving 1,061 new victims of federal crime identified and entered into the system during 2021. There are currently 270 active victim cases providing notice and services to 2,928 victims.



BY MAIL:



U.S. Attorney's Office
1620 Dodge Street
Suite 1400
Omaha, Nebraska 68102-1506

U.S. Attorney's Office
487 Federal Building
100 Centennial Mall North
Lincoln, Nebraska 68508-3865



BY PHONE & FAX:

OMAHA:(402) 661-3700
(800) 889-9124
FAX:(402) 661-3082

LINCOLN:(402) 437-5241
(800) 889-9123
FAX:(402) 437-5390

Website:

<http://www.usdoj.gov/usao/ne/>

Twitter: @USAO_NE

United States Attorney's Office Core Values

Equal Justice Under the Law

Honesty and Integrity

Commitment to Excellence

Respect for the Worth and
Dignity of Each Human Being



United States Attorney

Jan W. Sharp
402-661-3778; jan.sharp@usdoj.gov

First Assistant U.S. Attorney

Steven A. Russell
402-437-5240; steve.russell@usdoj.gov

Criminal Chief

Michael P. Norris
402-661-3779; michael.norris@usdoj.gov

Civil Chief

Timothy Hook
402-661-3709; Timothy.hook@usdoj.gov

**Lincoln Branch Office Chief and Senior Litigation Counsel
District of Nebraska's Appellate Point of Contact**

Sara Fullerton
402-437-5390; Sara.Fullerton@usdoj.gov

Drug Enforcement Unit / Lead OCDETF AUSA

Susan T. Lehr
402-661-3715; susan.lehr@usdoj.gov

Law Enforcement Coordinator

Joseph P. Jeanette
402-661-3725; joe.jeanette@usdoj.gov

Victim Assistance Specialists

Jose Palacios—Lead Victim Advocate
402-661-3742; jose.palacios@usdoj.gov

Makayla Heard—Victim Advocate
402-661-3701; Makayla.heard@usdoj.gov

WEBSITES OF INTEREST

Other U.S. Attorney's Offices: <http://www.usdoj.gov/usao/>

Department of Justice: <http://www.usdoj.gov/>

Drug Enforcement Administration: <http://www.dea.gov>

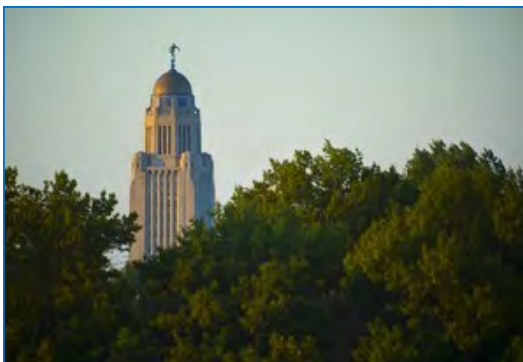
Federal Bureau of Investigation: <http://www.fbi.gov/>

Bureau of Alcohol, Tobacco, and Firearms and Explosives:
<https://www.atf.gov/kansas-city-field-division/nebraska-field-offices>

U.S. Marshals Service: <http://www.usmarshals.gov/>

U.S. Department of Homeland Security: <http://www.dhs.gov/>

Extensive list of official Federal Government websites: <http://www.usa.gov/>



Photos courtesy of The Nebraska Tourism Commission



United States Attorney's Office - District of Nebraska 2021 Annual Report

Developmental Editor
Joe Jeanette

Copy Editor
Amy Donato

Contributing Editors
Jan Sharp
Steve Russell
Mike Norris
Jose Palacios
Wendy Labadie
Annette Witte
Jason Bray