

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE

**FILED**  
Jeffrey A. Anderson, Clerk  
OCT - 7 2008

UNITED STATES OF AMERICA

INDICTMENT

v.

NO. 3:08CR-111-S  
21 U.S.C. § 841(a) (1)  
21 U.S.C. § 841(b) (1) (A) (vii)  
21 U.S.C. § 841(b) (1) (C)  
21 U.S.C. § 853

U.S. DISTRICT COURT  
WESTN. DIST. KENTUCKY

**JOHN ROBERT BOONE**  
**aka JOHNNY BOONE**

The Grand Jury charges:

COUNT 1

On or about May 27, 2008, in the Western District of Kentucky, Washington County, Kentucky, the defendant, **JOHN ROBERT BOONE aka JOHNNY BOONE**, knowingly and intentionally manufactured and possessed with the intent to manufacture and distribute 1,000 or more marijuana plants, a Schedule I controlled substance as defined in Title 21, United State Code, Section 812.

In violation of Title 21, United States Code, Sections 841(a) (1) and (b) (1) (A) (vii).

**DO NOT REMOVE FROM FILE**

The Grand Jury further charges:

COUNT 2

On or about May 27, 2008, in the Western District of Kentucky, Washington County, Kentucky, the defendant, **JOHN ROBERT BOONE aka JOHNNY BOONE**, knowingly and intentionally possessed with the intent to distribute 50 kilograms or more of marijuana, a Schedule I controlled substance as defined in Title 21, United State Code, Section 812.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

The Grand Jury further charges:

COUNT 3  
(FORFEITURE)

As a result of committing offenses in violation of Title 21, United States Code, Section 841(a)(1) and Title 21, United States Code, Section 841(b)(1), as alleged in Counts 1 and 2 of this Indictment, felonies punishable by imprisonment for more than one year, **JOHN ROBERT BOONE aka JOHNNY BOONE**, shall forfeit to the United States pursuant to Title 21 United States Code, Section 853, any and all property constituting, or derived from, proceeds the defendant obtained, directly or indirectly, as a result of these offenses, and any and all of the defendant's property used, or intended to be used, in any manner or part, to commit or to

facilitate the commission of the said violations alleged in Count 1 of this Indictment, including but not limited to the following property:

- a. \$2,550.00 in United States Currency;
- b. colt AR-15, .223 cal Rifle, SN: SP331100;
- c. Ruger Mark II Auto Pistol, .22 cal, SN: 211-60155;
- d. Miscellaneous ammunition;
- e. 1996 Chevrolet Pickup, Blue, VIN#: 2GCEK19R8T1238758, TAG: 002-GPV; and
- f. 2006 Chevrolet Pickup, Silver, VIN#: 1GCHK29U36E113239, Tag: FND-714.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL.

FOREPERSON

  
\_\_\_\_\_  
DAVID L. HUBER  
UNITED STATES ATTORNEY

DLH:JEK:JB:080925

UNITED STATES OF AMERICA v. JOHN ROBERT BOONE a/k/a Johnny Boone

P E N A L T I E S

- Count 1: NL 10 yrs./NM life/\$4,000,000/both/NL 5 yrs. Supervised Release  
(with one prior drug felony: NL 20 yrs./NM life/\$8,000,000/both/  
NL 10 yrs. Supervised Release)  
(with two prior drug felonies: NL life)
- Count 2: NM 20 yrs./\$1,000,000/both/NL 3 yrs. Supervised Release  
(with one prior drug felony: NM 30 yrs./\$2,000,000/both/  
NL 6 yrs. Supervised Release)
- Count 3: Forfeiture

N O T I C E

ANY PERSON CONVICTED OF AN OFFENSE AGAINST THE UNITED STATES SHALL BE SUBJECT TO SPECIAL ASSESSMENTS, FINES, RESTITUTION & COSTS.

SPECIAL ASSESSMENTS

18 U.S.C. § 3013 requires that a special assessment shall be imposed for each count of a conviction of offenses committed after November 11, 1984, as follows:

Misdemeanor:	\$ 25 per count/individual	Felony:	\$100 per count/individual
	\$125 per count/other		\$400 per count/other

FINES

In addition to any of the above assessments, you may also be sentenced to pay a fine. Such fine is due immediately unless the court issues an order requiring payment by a date certain or sets out an installment schedule. You shall provide the United States Attorney's Office with a current mailing address for the entire period that any part of the fine remains unpaid, or you may be held in contempt of court. 18 U.S.C. § 3571, 3572, 3611, 3612

Failure to pay fine as ordered may subject you to the following:

1. INTEREST and PENALTIES as applicable by law according to last date of offense.

For offenses occurring after December 12, 1987:

No INTEREST will accrue on fines under \$2,500.00.

INTEREST will accrue according to the Federal Civil Post-Judgment Interest Rate in effect at the time of sentencing. This rate changes monthly. Interest accrues from the first business day following the two week period after the date a fine is imposed.

PENALTIES of:

- 10% of fine balance if payment more than 30 days late.
  - 15% of fine balance if payment more than 90 days late.
2. Recordation of a LIEN shall have the same force and effect as a tax lien.
  3. Continuous GARNISHMENT may apply until your fine is paid.

18 U.S.C. §§ 3612, 3613

If you **WILLFULLY** refuse to pay your fine, you shall be subject to an **ADDITIONAL FINE** of not more than the greater of \$10,000 or twice the unpaid balance of the fine; or **IMPRISONMENT** for not more than 1 year or both.  
18 U.S.C. § 3615

RESTITUTION

If you are convicted of an offense under Title 18, U.S.C., or under certain air piracy offenses, you may also be ordered to make restitution to any victim of the offense, in addition to, or in lieu of any other penalty authorized by law. 18 U.S.C. § 3663

APPEAL

If you appeal your conviction and the sentence to pay your fine is stayed pending appeal, the court shall require:

1. That you deposit the entire fine amount (or the amount due under an installment schedule during the time of your appeal) in an escrow account with the U.S. District Court Clerk, or
2. Give bond for payment thereof.

18 U.S.C. § 3572(g)

PAYMENTS

If you are ordered to make payments to the U.S. District Court Clerk's Office, certified checks or money orders should be made payable to the Clerk, U.S. District Court and delivered to the appropriate division office listed below:

LOUISVILLE: Clerk, U.S. District Court  
106 Gene Snyder U.S. Courthouse  
601 West Broadway  
Louisville, KY 40202  
502/625-3500

BOWLING GREEN: Clerk, U.S. District Court  
120 Federal Building  
241 East Main Street  
Bowling Green, KY 42101  
270/393-2500

OWENSBORO: Clerk, U.S. District Court  
126 Federal Building  
423 Frederica  
Owensboro, KY 42301  
270/689-4400

PADUCAH: Clerk, U.S. District Court  
127 Federal Building  
501 Broadway  
Paducah, KY 42001  
270/415-6400

If the court finds that you have the present ability to pay, an order may direct imprisonment until payment is made.

FORM DBD-34  
JUN. 85

**FILED**  
Jeffrey A. Apperson, Clerk

OCT - 7 2008

U.S. DISTRICT COURT  
WESTN. DIST. KENTUCKY

No. \_\_\_\_\_

**UNITED STATES DISTRICT COURT**

Western District of Kentucky  
Louisville Division

THE UNITED STATES OF AMERICA

vs.

JOHN ROBERT BOONE a/k/a Johnny Boone

**INDICTMENT**

Title 21 U.S.C. §§ 841(a)(1); 841(b)(1)(A)(vii);  
841(B)(1)(C); 853:

**Manufacture and Possession With the Intent to  
Manufacture and Distribute Marijuana;  
Possession With the Intent to Distribute  
Marijuana; Forfeiture.**

*A true bill.*

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Filed in open court this 7th day, of October A.D. 2008.

Clerk

Bail, \$