UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION
CRIMINAL NO. 4-93-166

UNITED STATES OF AMERICA,

Plaintiff,

v.

GERALD LAKEITH WILLIAMS;
MAXINE MACKRELL, a/k/a Naomi Taylor;
DALE MARIO EVANS;
SHIRLEY JEAN WILLIAMS, a/k/a Patty Wagner, a/k/a "Red";
CLAUDE OLIVER PHILLIPS, a/k/a "Rico";
KEITH DWANE DAWSON;
BERNARD LAFAYETTE RUTHERFORD;
MELVIN CAMPBELL;
JOHN DOE, a/k/a "C-Low";
JOHN DOE, a/k/a "J-Bone";
ANTHONY CONRAD WEBSTER, a/k/a Tony Webster;
MARK KEVIN WEBSTER;
SONIA ALISSA ALCARAZ;
RONALD NUNN, a/k/a Chaster Davis, a/k/a "Hud";
RAYMOND SHAUNDALE HOWARD;
DONALD ORLANDO HOWARD;
SID STRICKLAND-LANGUMS, a/k/a, "Herb";
TONY NMN SPEANK, a/k/a Carl Michael Smith a/k/a "Tone";
TODD LOVIS HOPSON, a/k/a Ted Shia, a/k/a "Snoop";
GORNELL RANDRALL WILLIAMS;
SYLVESTER CAGE, a/k/a "Vette";
JAMES ERICK NUNN, a/k/a, "Binky";
ANNIE MARIENE MONDY;
GLOVER DERAND SMITH;
JOHNNY JACKSON, a/k/a Gene;
WAYMON EMMERSON ERVAN, a/k/a Ike, a/k/a "Lepp";
ROBERT LEAKE, a/k/a Robert Morris;
EDDIE THOMAS BRAZIEL;
JIMMY COREY, a/k/a "Ware";
HENRY LAVERNE PATTERSON, a/k/a "SS",

Defendants.

SUPERSEDING INDICTMENT

(18 U.S.C. §2)
(18 U.S.C. §924(c)(1))
(18 U.S.C. §1952(a))
(18 U.S.C. §1956(a)(1))
(18 U.S.C. §1956(g))
(21 U.S.C. §841(a)(1))
(21 U.S.C. §841(b)(1)(A))
(21 U.S.C. §841(b)(1)(B))
(21 U.S.C. §843(b))
(21 U.S.C. §846)
(21 U.S.C. § 856)

FILED 12/20/93
FRANCIS E. DOSAL, CLERK
JUDGMENT ENTERED

EXHIBIT
1
PENGAD-Bayonne, N. J.

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THE UNITED STATES GRAND JURY CHARGES THAT:

COUNT ONE

From on or about a date unknown, continuing to on or about November 9, 1993, in the State and District of Minnesota, and elsewhere, the defendants,

GERALD LAKEITH WILLIAMS,
MAXINE MACKRELL, a/k/a Naomi Taylor,
DALE MARIO EVANS,
SHIRLEY JEAN WILLIAMS, a/k/a Patty Wagner, a/k/a "Red",
CLAUDE OLIVER PHILLIPS, a/k/a "Rico",
KEITH DWANE DAWSON,
BERNARD LAFAYETTE RUTHERFORD,
MELVIN CAMPBELL,
JOHN DOE, a/k/a "C-Low",
JOHN DOE, a/k/a "J-Bone",
ANTHONY CONRAD WEBSTER, a/k/a Tony Webster,
MARK KEVIN WEBSTER,
SONIA ALISSA ALCARAZ,
RONALD NUNN, a/k/a Chaster Davis, a/k/a "Hud",
RAYMOND SHAUNDALE HOWARD,
DONALD ORLANDO HOWARD,
SID STRICKLAND-LANGUMS, a/k/a "Herb",
TONY NMN SPEANK, a/k/a Carl Michael Smith, a/k/a "Tone",
TODD LOVIS HOPSON, a/k/a Ted Shia, a/k/a "Snoop",
GORNELL RANDRALL WILLIAMS,
SYLVESTER CAGE, a/k/a "Vette",
JAMES ERICK NUNN, a/k/a, "Binky",
ANNIE MARIENE MONDY,
GLOVER DERAND SMITH,
JOHNNY JACKSON, a/k/a Gene,
WAYMON EMMERSON ERVAN, a/k/a Ike, a/k/a "Lepp",
ROBERT LEAKE, a/k/a Robert Morris,
EDDIE THOMAS BRAZIEL,
JIMMY COREY a/k/a "Ware", and,
HENRY PATTERSON, a/k/a "SS",

willfully and knowingly did combine, conspire, confederate, and agree with each other, and other persons known and unknown to the grand jury, to manufacture, to possess with intent to distribute, and to distribute more than five kilograms of a mixture and substance containing a detectable amount of cocaine and more than 50 grams of a mixture and substance containing a detectable amount

of cocaine base, Schedule II controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A); all in violation of Title 21, United States Code, Section 846.

OVERT ACTS

In furtherance of this conspiracy and to effect and accomplish the objects of it, one or more of the conspirators committed the following overt acts:

1. On March 2, 1988, defendant Shirley Jean Williams, a/k/a Patty Wagner, a/k/a "Red", attempted to possess with intent to distribute approximately one-half kilogram of cocaine in Minneapolis, Minnesota.

2. On November 20, 1989, defendant Gerald Lakeith Williams possessed with intent to distribute an ounce of cocaine in Minneapolis, Minnesota.

3. In February, 1991, defendant Bernard Lafayette Rutherford distributed three kilograms of cocaine base in Minneapolis, Minnesota.

4. On February 12, 1991, defendant Bernard Lafayette Rutherford and Ferris Valentine attempted to transport $72,614 cash by rental car from Minnesota to California.

5. On November 20, 1991, defendant Shirley Jean Williams, a/k/a Patty Wagner, a/k/a "Red", arranged for the distribution of one-quarter kilogram of cocaine base for $7,500.00 cash in Minneapolis, Minnesota.

6. On January 23, 1992, defendants Gerald Lakeith Williams and Maxine Mackrell, a/k/a Naomi Taylor, possessed with intent to distribute approximately seventy (70) grams of cocaine base in

Minneapolis, Minnesota.

7. On January 23, 1992, defendant Gerald Lakeith Williams possessed a nine millimeter Tech-9 semiautomatic pistol and ammunition in Minneapolis, Minnesota.

8. On April 14, 1992, defendants Gornell Randrall Williams and Robert Leake, a/k/a Robert Morris, attempted to possess with intent to distribute one-quarter kilogram of cocaine in Minneapolis, Minnesota.

9. On April 14, 1992, defendant Gornell Randrall Williams possessed a loaded thirty millimeter Luger semiautomatic pistol in Minneapolis, Minnesota.

10. On July 22, 1993, defendant Gerald Lakeith Williams initiated service, through Cellular One of Minnesota, to a mobile cellular telephone assigned telephone number (612) 840-5121.

11. Between August 18, 1993, and August 26, 1993, defendant Claude Oliver Phillips, a/k/a "Rico", travelled by car from Memphis, Tennessee, to Minneapolis, Minnesota and met with defendants Shirley Jean Williams, a/k/a Patty Wagner, a/k/a "Red", and Gerald Lakeith Williams.

12. On September 21, 1993, defendant Gerald Lakeith Williams initiated service to a second mobile cellular telephone, through Cellular One of Minnesota, which was assigned the telephone number (612) 840-5143.

13. On October 7, 1993, defendant Gerald Lakeith Williams flew from Minneapolis, Minnesota, to Memphis, Tennessee, to meet with defendant Claude Oliver Phillips, a/k/a "Rico".

14. On October 8, 1993, defendant Gerald Lakeith Williams

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flew from Memphis, Tennessee, to Minneapolis, Minnesota.

15. Between October 10, 1993, and October 14, 1993, defendant Shirley Jean Williams, a/k/a Patty Wagner, a/k/a "Red", and Donnell Williams travelled by car from Minneapolis, Minnesota, to Memphis, Tennessee, to meet with defendant Claude Oliver Phillips, a/k/a "Rico".

16. On October 13, 1993, defendant Gerald Lakeith Williams telephoned defendant Shirley Jean Williams, a/k/a Patty Wagner, a/k/a "Red", in Memphis, Tennessee. During this telephone conversation Shirley Williams informed her son that she was "ready to leave" the Memphis area after driving there from Minneapolis. Shirley Williams further stated that the person she was in Memphis to meet was "paranoid" and wanted "things to do [sic] exactly his way." In response, Gerald Williams stated he "can't do it like that" and that he was "spending" the money. After discussing the time it had taken to drive to Memphis from Minneapolis, Shirley Williams stated that the "game [sic] been cancelled".

17. On October 13, 1993, defendant Gerald Lakeith Williams telephoned defendant Dale Mario Evans in Pasadena, California. During this telephone conversation Dale Evans asked Gerald Williams "did you want to get something." Gerald Williams responded "not that way," and that he knew that Evans was not "dry". Evans replied that driving was difficult and that if a person got "caught driving, he's through." Gerald Williams then asked how much would it cost if a person "came and got it back himself." Evans stated that it would cost "two twist" or "twenty-seven".

18. On October 14, 1993, defendant Shirley Jean Williams,

a/k/a Patty Wagner, a/k/a "Red", telephoned defendant Gerald Lakeith Williams. During this telephone conversation Shirley Williams asked Gerald Williams to tell his brother, Gornell Williams, about his recent contacts with "Rico". Gerald subsequently stated to his brother Gornell that "Rico" had acted like a "basehead" and was a problem. Gornell Williams responded by asking Gerald if that was why he "got back so quickly", to which Gerald responded "yeah". After concluding his discussion with Gornell, Gerald Williams continued his telephone conversation with his mother, Shirley Williams . Shirley Williams stated that Claude Phillips "got five, he got too many", and informed Gerald that "Rico" wanted Gerald to contact him. In response, Gerald stated that he "would have got three" and that he would "never go back for nothing." Finally, Gerald stated to his mother that he did not understand why she "came back empty handed."

19. On October 16, 1993, defendant Claude Oliver Phillips, a/k/a "Rico", telephoned defendant Gerald Lakeith Williams from Memphis, Tennessee. During this telephone conversation Claude Phillips told Gerald Williams that he should "come on down here whenever you get ready," and that "he can't be in no rush."

20. On October 19, 1993, defendant Dale Mario Evans flew from Los Angeles, California, to Minneapolis, Minnesota, to meet with defendant Gerald Lakeith Williams.

21. On October 21, 1993, defendants Gerald Lakeith Williams, Dale Mario Evans, Ronald Nunn, a/k/a Chaster Davis, a/k/a "Hud", and Todd Lovis Hopson, a/k/a Ted Shia, a/k/a "Snoop", possessed with intent to distribute multiple kilograms of cocaine in the

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Minneapolis, Minnesota metropolitan area.

22. On October 22, 1993, defendants Gerald Lakeith Williams and Waymon Emmerson Ervan, a/k/a Ike, a/k/a "Lepp", manufactured multiple ounces of cocaine base in Minneapolis, Minnesota.

23. On October 22, 1993, defendant Johnny Jackson, a/k/a Gene, possessed with intent to distribute approximately forty-two grams of cocaine base in Minneapolis, Minnesota.

24. On October 24, 1993, defendants Gerald Lakeith Williams and Ronald Nunn, a/k/a Chaster Davis, a/k/a "Hud", possessed with intent to distribute approximately four ounces of cocaine base in Minneapolis, Minnesota.

25. On October 26, 1993, defendant Eddie Thomas Braziel received and distributed a quantity of cocaine in Minneapolis, Minnesota.

26. On October 27, 1993, defendant Dale Mario Evans arranged for a package containing approximately six kilograms of cocaine to be shipped by U.S. mail from California to 6508 Zane Avenue North, Apartment #913, in Brooklyn Park, Minnesota.

27. On October 29, 1993, defendants Gerald Lakeith Williams, Sid Strickland-Langums, a/k/a "Herb", and James Erick Nunn, a/k/a "Binky", discussed a narcotics transaction via telephone.

28. On October 31, 1993, defendant Dale Mario Evans telephoned defendant Gerald Lakeith Williams from California. During their telephone conversation Dale Evans stated "the love never got there?" to which Williams responded "no". Evans further discussed his contacts with the postal service regarding delivery of a package to "Hud's" house.

29. On November 1, 1993, defendant Dale Mario Evans shipped a package containing approximately one kilogram of cocaine from Altadena, California, to 2929 30th Avenue South, Minneapolis, Minnesota, the home address of defendant Annie Mariene Mondy.

30. On November 1, 1993, defendant Gerald Lakeith Williams met with defendant Anthony Conrad Webster, a/k/a Tony Webster, in Minneapolis, Minnesota. Following this meeting, Tony Webster distributed approximately one kilogram of cocaine to Gerald Williams.

31. On November 1, 1993, defendants Gerald Lakeith Williams and Waymon Emmerson Ervan, a/k/a Ike, a/k/a "Lepp", manufactured approximately one kilogram of cocaine base at the residence of defendant Jimmy Corey, a/k/a "Ware", in Minneapolis, Minnesota.

32. On November 1, 1993, defendants Gerald Lakeith Williams and Sid Strickland-Langums, a/k/a "Herb", possessed with intent to distribute and distributed approximately one kilogram of cocaine base in Minneapolis, Minnesota.

33. On November 4, 1993, defendant Anthony Conrad Webster, a/k/a Tony Webster, telephoned defendant Gerald Lakeith Williams to discuss a cocaine transaction. During this telephone conversation Tony Webster stated that "its on, man", to which Williams responded by asking if he could go to "second base". Tony Webster stated that Williams could only get to "first base" on that day, and would be able to get to "first base again tomorrow".

34. On November 4, 1993, defendants Anthony Conrad Webster, a/k/a Tony Webster, and Mark Kevin Webster distributed approximately one kilogram of cocaine in Minneapolis, Minnesota.

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35. On November 4, 1993, defendants Gerald Lakeith Williams, Waymon Emmerson Ervan, a/k/a "Ike", a/k/a "Lepp", and Tony NMN Speank, a/k/a Carl Michael Smith, a/k/a "Tone", manufactured and possessed with intent to distribute approximately one kilogram of cocaine base at 3538 Newton Avenue North in Minneapolis, Minnesota.

36. On November 5, 1993, defendants Gerald Lakeith Williams Anthony Conrad Webster, a/k/a Tony Webster, and Mark Kevin Webster flew together from Minneapolis, Minnesota, to Las Vegas, Nevada.

37. On November 8, 1993, defendant Raymond Shaundale Howard telephoned defendant Gerald Lakeith Williams. During this telephone conversation Williams told Howard about "Mizark's people" and that they had a "100 percent guarantee". Williams further stated that the "ticket is two-three".

38. On November 8, 1993, defendant Gerald Williams obtained a sum of money from defendant Raymond Shaundale Howard and provided it to Tony Webster as part of a payment of money for cocaine.

39. On November 8, 1993, defendants Anthony Conrad Webster, a/k/a Tony Webster, and Sonia Alissa Alcaraz, attempted to ship a package containing approximately $88,000.00 cash from Minneapolis, Minnesota, to defendant Keith Dwane Dawson in Las Vegas, Nevada.

40. On November 9, 1993, defendants Anthony Conrad Webster, a/k/a Tony Webster, and Sonia Alissa Alcaraz possessed with intent to distribute approximately four ounces of cocaine in Minneapolis, Minnesota.

41. On November 9, 1993, defendant Donald Orlando Howard possessed with intent to distribute approximately one ounce of cocaine base in Minneapolis, Minnesota.

42. On November 9, 1993, defendant Glover Derand Smith possessed with intent to distribute approximately one ounce of cocaine base in Minneapolis, Minnesota.

43. On November 9, 1993, defendant Annie Mariene Mondy possessed with intent to distribute approximately sixteen ounces of cocaine in Minneapolis, Minnesota.

44. On November 9, 1993, defendant Tony NMN Speank, a/k/a Carl Michael Smith, a/k/a "Tone", possessed with intent to distribute a quantity of cocaine base, and possessed a loaded nine millimeter Glock semiautomatic pistol in Minneapolis, Minnesota.

45. On November 9, 1993, defendant Todd Lovis Hopson, a/k/a Ted Shia, a/k/a "Snoop", possessed a nine millimeter semiautomatic pistol in Apple Valley, Minnesota.

46. On November 9, 1993, defendant Sid Strickland-Langums, a/k/a "Herb", possessed a loaded nine millimeter Glock semiautomatic pistol in Robbinsdale, Minnesota.

47. On November 9, 1993, defendants Shirley Jean Williams, a/k/a Patty Wagner, a/k/a "Red", and Gornell Randrall Williams possessed two semiautomatic rifles, including an AR-15 semiautomatic assault rifle, in Burnsville, Minnesota.

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COUNT TWO

On or about the 11th day of February, 1991, in the State and District of Minnesota and elsewhere, defendants,

SHIRLEY JEAN WILLIAMS, a/k/a Patty Wagner, a/k/a "Red", and, BERNARD LAFAYETTE RUTHERFORD,

each aiding and abetting the other, did knowingly and willfully conduct, and attempt to conduct, a financial transaction affecting interstate commerce, knowing that the property involved in the financial transaction represented the proceeds, approximately $72,614.00, from the unlawful distribution of cocaine and cocaine base, Schedule II controlled substances, in violation of Title 21, United States Code, Section 841(a)(1), and further knowing that the transaction was an attempt to promote and carry on specified unlawful activity by causing these proceeds to be transported from Minnesota to California, in violation of Title 18, United States Code, Sections 2 and 1956(a)(1)(A)(i).

COUNT THREE

On or about the 13th day of April, 1992, in the State and District of Minnesota, in the State of California, and elsewhere, defendants,

GERALD LAKEITH WILLIAMS, and, MELVIN CAMPBELL,

each aiding and abetting the other, did knowingly and willfully conduct, and attempt to conduct, a financial transaction affecting interstate commerce, knowing that the property involved in the financial transaction represented the proceeds, approximately $38,000.00, from the unlawful distribution of cocaine and cocaine base, Schedule II controlled substances, in violation of Title 21,

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United States Code, Section 841(a)(1), and further knowing that the transaction was an attempt to promote and carry on specified unlawful activity in violation of Title 18, United States Code, Sections 2 and 1956(a)(1)(A)(i).

COUNT FOUR

On or about the 23rd day of January, 1992, in the State and District of Minnesota, defendants,

GERALD LAKEITH WILLIAMS, and,
MAXINE MACKRELL, a/k/a Naomi Taylor,

each aiding and abetting the other, did knowingly, intentionally and unlawfully possess with intent to distribute a quantity in excess of 50 grams of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), and, Title 18, United States Code, Section 2.

COUNT FIVE

On or about the 23rd day of January, 1992, in the State and District of Minnesota, defendant,

GERALD LAKEITH WILLIAMS,

did knowingly and unlawfully use and carry a firearm, namely, an IntraTech nine millimeter semiautomatic pistol, during and in relation to a drug trafficking crime, that being his intentional and unlawful possession with intent to distribute a quantity of a mixture and substance containing a detectable amount of cocaine base, as set forth in Count Four of this Superseding Indictment, in violation of Title 18, United States Code, Section 924(c)(1).

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COUNT SIX

On or about the 23rd day of January, 1992, in the State and District of Minnesota, defendant,

MAXINE MACKRELL, a/k/a Naomi Taylor,

did control an apartment, room and enclosure as the renter and lessee, and unlawfully, knowingly and intentionally make available for use, with and without compensation, this apartment, room and enclosure for the purpose of storing and distributing cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 856.

COUNT SEVEN

On or about the 14th day of April, 1992, in the State and District of Minnesota, defendants,

GORNELL RANDRALL WILLIAMS, and
ROBERT LEAKE, a/k/a Robert Morris,

each aiding and abetting the other, did knowingly, intentionally and unlawfully attempt to possess with intent to distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841 (a)(1), in violation of Title 21, United States Code, Section 846 and Title 18, United States Code, Section 2.

COUNT EIGHT

On or about the 14th day of April, 1992, in the State and District of Minnesota, defendant,

GORNELL RANDRALL WILLIAMS,

knowingly and unlawfully did use and carry a firearm, namely, a Luger semiautomatic pistol, during and in relation to a drug trafficking crime, that being his intentional and unlawful attempted possession with intent to distribute a quantity of a mixture and substance containing a detectable amount of cocaine, as set forth in Count Seven of this Superseding Indictment, in violation of Title 18, United States Code, Section 924(c)(1).

COUNT NINE

On or about the 17th day of May, 1992, in the State and District of Minnesota, in the State of California, and elsewhere, defendants,

GERALD LAKEITH WILLIAMS, and,
MELVIN CAMPBELL,

each aiding and abetting the other, did knowingly and willfully conduct, and attempt to conduct, a financial transaction affecting interstate commerce, knowing that the property involved in the financial transaction represented the proceeds, approximately $43,000.00, from the unlawful distribution of cocaine and cocaine base, Schedule II controlled substances, in violation of Title 21, United States Code, Section 841(a)(1), and further knowing that the transaction was an attempt to promote and carry on specified unlawful activity all in violation of Title 18, United States Code, Sections 2 and 1956(a)(1)(A)(i).

COUNT TEN

On or about the 20th day of October, 1993, in the State and District of Minnesota and elsewhere, defendants,

GERALD LAKEITH WILLIAMS,
DALE MARIO EVANS,
TODD LOVIS HOPSON, a/k/a Ted Shia, a/k/a "Snoop",
JOHN DOE, a/k/a "C-Low", and,
JOHN DOE, a/k/a "J-Bone",

each aiding and abetting the other, did use and cause to be used a facility in interstate commerce, namely, United Parcel Service, to ship a package containing cocaine from the State of California to the State of Minnesota, with intent to establish and carry on an unlawful activity, said unlawful activity being the distribution of cocaine and cocaine base, Schedule II controlled substances, in violation of Title 21, United States Code, Section 841 (a)(1), and thereafter the defendants did perform and attempt to perform acts to establish and carry on said unlawful activity, all in violation of Title 18, United States Code, Sections 2 and 1952(a).

COUNT ELEVEN

On or about the 21st day of October, 1993, in the State and District of Minnesota, defendants,

GERALD LAKEITH WILLIAMS,
DALE MARIO EVANS,
RONALD NUNN, a/k/a Chaster Davis, a/k/a "Hud", and,
TODD LOVIS HOPSON, a/k/a Ted Shia, a/k/a "Snoop",

each aiding and abetting the other, did knowingly, intentionally and unlawfully possess with intent to distribute and distribute a quantity in excess of five kilograms of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections

841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

COUNT TWELVE

On or about the 22nd day of October, 1993, in the State and District of Minnesota, defendants,

GERALD LAKEITH WILLIAMS, and,
WAYMON EMMERSON ERVAN, a/k/a Ike, a/k/a "Lepp",

each aiding and abetting the other, did knowingly, intentionally and unlawfully manufacture a quantity in excess of 50 grams of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), and, Title 18, United States Code, Section 2.

COUNT THIRTEEN

On or about the 22nd day of October, 1993, in the State and District of Minnesota, defendant,

JOHNNY JACKSON, a/k/a Gene,

did knowingly, intentionally and unlawfully possess with intent to distribute and distribute a quantity of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1).

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COUNT FOURTEEN

On or about the 22nd day of October, 1993, in the State and District of Minnesota and elsewhere, defendant,

DALE MARIO EVANS,

did travel in interstate commerce from the State of Minnesota to the State of California, with intent to distribute the proceeds of an unlawful activity, said activity being the unlawful distribution of cocaine and cocaine base, Schedule II controlled substances, in violation of Title 21, United States Code, Section 841 (a)(1), and thereafter the defendant did perform and attempt to perform acts to distribute the proceeds of said unlawful activity, all in violation of Title 18, United States Code, Section 1952(a).

COUNT FIFTEEN

On or about the 26th day of October, 1993, in the State and District of Minnesota, defendant,

EDDIE THOMAS BRAZIEL,

did knowingly, intentionally and unlawfully possess with intent to distribute and distribute a quantity of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1).

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COUNT SIXTEEN

On or about the 27th day of October, 1993, in the State and District of Minnesota and elsewhere, the defendants,

GERALD LAKEITH WILLIAMS,
DALE MARIO EVANS,
JOHN DOE, a/k/a "C-Low", and,
JOHN DOE, a/k/a "J-Bone",

each aiding and abetting the other, did use and cause to be used a facility in interstate commerce, that is, the United States mail, to ship a package containing cocaine from the State of California, to the State of Minnesota, with intent to establish and carry on an unlawful activity, said unlawful activity being the distribution of controlled substances, specifically, cocaine and cocaine base in violation of Title 21, United States Code, Section 841 (a)(1), and thereafter the defendants did perform and attempt to perform acts to establish and carry on said unlawful activity, all in violation of Title 18, United States Code, Sections 2 and 1952(a).

COUNT SEVENTEEN

On or about the 28th day of October, 1993, in the State and District of Minnesota, defendants,

GERALD LAKEITH WILLIAMS,
DALE MARIO EVANS,
RONALD NUNN, a/k/a Chaster Davis, a/k/a "Hud", and,
HENRY PATTERSON, a/k/a "SS,

each aiding and abetting the other, did knowingly, intentionally and unlawfully attempt to possess with intent to distribute in excess of 5 kilograms of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841 (a)(1) and 841(b)(1)(A), all in violation of Title 21, United States Code,

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Section 846 and Title 18, United States Code, Section 2.

COUNT EIGHTEEN

On or about the 1st day of November, 1993, in the State and District of Minnesota and elsewhere, defendants,

GERALD LAKEITH WILLIAMS,
DALE MARIO EVANS,
SHIRLEY JEAN WILLIAMS, a/k/a Patty Wagner, a/k/a "Red", and,
ANNIE MARIENE MONDY,

each aiding and abetting the other, did use and cause to be used a facility in interstate commerce, namely, the United States mail, to ship a package containing cocaine from the State of California, to the State of Minnesota, with intent to establish and carry on an unlawful activity, said unlawful activity being the distribution of cocaine and cocaine base in violation of Title 21, United States Code, Section 841 (a)(1), and thereafter the defendants did perform and attempt to perform acts to establish and carry on said unlawful activity, all in violation of Title 18, United States Code, Sections 2 and 1952(a).

COUNT NINETEEN

On or about the 1st day of November, 1993, in the State and District of Minnesota, defendants,

GERALD LAKEITH WILLIAMS, and,
WAYMON EMMERSON ERVAN, a/k/a Ike, a/k/a "Lepp",

each aiding and abetting the other, did knowingly, intentionally and unlawfully manufacture a quantity in excess of 50 grams of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), and, Title 18, United States Code, Section 2.

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COUNT TWENTY

On or about the 1st day of November, 1993, in the State and District of Minnesota, defendant,

JIMMY COREY, a/k/a "Ware",

did control an apartment, room and enclosure as the renter and lessee, and unlawfully, knowingly and intentionally make available for use, with and without compensation, this apartment, room and enclosure for the purpose of manufacturing cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 856.

COUNT TWENTY-ONE

On or about the 1st day of November, 1993, in the State and District of Minnesota, defendants,

GERALD LAKEITH WILLIAMS, and,
SID STRICKLAND-LANGUMS, a/k/a "Herb",

each aiding and abetting the other, did knowingly, intentionally and unlawfully distribute a quantity of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

COUNT TWENTY-TWO

On or about the 4th day of November, 1993, in the State and District of Minnesota, defendants,

MARK KEVIN WEBSTER, and,
ANTHONY CONRAD WEBSTER, a/k/a Tony Webster,

each aiding and abetting the other, did knowingly, intentionally and unlawfully distribute a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled

substance, in violation of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

COUNT TWENTY-THREE

On or about the 4th day of November, 1993, in the State and District of Minnesota, defendants,

GERALD LAKEITH WILLIAMS,
WAYMON EMMERSON ERVAN, a/k/a Ike, a/k/a "Lepp",
SID STRICKLAND-LANGUMS, a/k/a "Herb", and,
TONY NMN SPEANK, a/k/a Carl Michael Smith a/k/a "Tone",

each aiding and abetting the other, did knowingly, intentionally and unlawfully manufacture, possess with intent to distribute, and distribute a quantity of a mixture and substance containing detectable amounts of cocaine and cocaine base, Schedule II controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT TWENTY-FOUR

On or about the 8th day of November, 1993, in the State and District of Minnesota and elsewhere, defendants,

ANTHONY CONRAD WEBSTER, a/k/a Tony Webster,
MARK KEVIN WEBSTER,
GERALD LAKEITH WILLIAMS,
KEITH DWANE DAWSON,
RAYMOND SHAUNDALE HOWARD, and,
SONIA ALISSA ALCARAZ,

each aiding and abetting the other, did use and attempt to use a facility in interstate commerce, namely, Federal Express, to ship a package containing U.S. currency from the State of Minnesota to the State of Nevada, with intent to distribute the proceeds of unlawful activity, specifically, the proceeds of the distribution of cocaine and cocaine base, Schedule II controlled substances, in

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violation of Title 21, United States Code, Section 841 (a)(1), and thereafter did attempt to distribute the proceeds of unlawful activity, namely, the proceeds of the distribution of cocaine and cocaine base, all in violation of Title 18, United States Code, Sections 2 and 1952(a).

COUNT TWENTY-FIVE

On or about the 9th day of November, 1993, in the State and District of Minnesota, defendants,

ANTHONY CONRAD WEBSTER, a/k/a Tony Webster, and,
SONIA ALISSA ALCARAZ,

each aiding and abetting the other, did knowingly and intentionally possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

COUNT TWENTY-SIX

On or about the 9th day of November, 1993, in the State and District of Minnesota, defendant,

SONIA ALISSA ALCARAZ,

did control an apartment, room and enclosure as the renter and lessee, and unlawfully, knowingly and intentionally make available for use, with and without compensation, this apartment, room and enclosure for the purpose of storing and distributing cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 856.

COUNT TWENTY-SEVEN

On or about the 9th day of November, 1993, in the State and District of Minnesota, defendant,

ANNIE MARIENE MONDY,

did knowingly, intentionally and unlawfully possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWENTY-EIGHT

On or about the 9th day of November, 1993, in the State and District of Minnesota, defendant,

ANNIE MARIENE MONDY,

did control a house, room and enclosure as the renter and lessee, and unlawfully, knowingly and intentionally make available for use, with and without compensation, this house, room and enclosure for the purpose of storing and distributing cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 856.

COUNT TWENTY-NINE

On or about the 9th day of November, 1993, in the State and District of Minnesota, defendant,

TONY NMN SPEANK, a/k/a Carl Michael Smith a/k/a "Tone",

did knowingly, intentionally and unlawfully possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT THIRTY

On or about the 9th day of November, 1993, in the State and District of Minnesota, defendant,

TONY NMN SPEANK, a/k/a Carl Michael Smith a/k/a "Tone",

did knowingly and unlawfully use and carry a firearm, namely, a nine millimeter Glock semiautomatic pistol, during and in relation to a drug trafficking crime, that being his intentional and unlawful possession with intent to distribute a quantity of a mixture and substance containing a detectable amount of cocaine base, as set forth in Count Twenty-Nine of this Superseding Indictment, in violation of Title 18, United States Code, Section 924(c)(1).

COUNT THIRTY-ONE

On or about the 9th day of November, 1993, in the State and District of Minnesota, defendant,

GLOVER DERAND SMITH,

did knowingly, intentionally and unlawfully possess with intent to distribute a quantity in excess of 5 grams of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT THIRTY-TWO

On or about the 9th day of November, 1993, in the State and District of Minnesota, defendant,

DONALD ORLANDO HOWARD,

did knowingly, intentionally and unlawfully possess with intent to distribute a quantity in excess of 5 grams of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT THIRTY-THREE

From on or about the 30th day of March, 1993, and continuing until on or about the 9th day of November, 1993, in the State and District of Minnesota, defendants,

GERALD LAKEITH WILLIAMS, and,
SHIRLEY JEAN WILLIAMS, a/k/a Patty Wagner, a/k/a "Red",

and others know and unknown to the grand jury, did knowingly, willfully and unlawfully combine, conspire, confederate, and agree together to commit an offense against the United States, by conducting and attempting to conduct financial transactions affecting interstate commerce, knowing that the property involved in the financial transactions represented the proceeds from specified unlawful activity, and further knowing that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

MANNER AND MEANS

It was part of the conspiracy that GERALD LAKEITH WILLIAMS and SHIRLEY JEAN WILLIAMS, a/k/a Patty Wagner, a/k/a "Red", conducted and attempted to conduct financial transactions with the proceeds from the unlawful distribution of cocaine and cocaine base to conceal and disguise the nature and source of money used to make the deposit and monthly rent payments for apartment #1107 located at 1400 Laurel Avenue in Minneapolis, Minnesota.

OVERT ACTS

1. On March 30, 1993, SHIRLEY WILLIAMS, a/k/a Patty Wagner, a/k/a "Red", applied for and made a $300.00 deposit on apartment #1107 at 1400 Laurel Avenue, Minneapolis, Minnesota, using the fictitious name of "Patty Wagner".

2. On the rental application SHIRLEY WILLIAMS, a/k/a Patty Wagner, a/k/a "Red", represented her source of income as totalling approximately $3,100.00 per month derived from her employment as a sales manager at Don's Appliance, 110 West Broadway, Minneapolis, Minnesota.

3. On April 26, 1993, SHIRLEY WILLIAMS, a/k/a Patty Wagner, a/k/a "Red", used the fictitious name of "Patty Wagner" to apply for a vehicle parking registration permit at 1400 Laurel for a Chevrolet Blazer, Minnesota license 218HEN, known to be used by GERALD LAKEITH WILLIAMS.

4. On or about April 26, 1993, through on or about November 9, 1993, GERALD LAKEITH WILLIAMS occupied and resided in apartment #1107 at 1400 Laurel Avenue, Minneapolis, Minnesota.

5. SHIRLEY WILLIAMS, a/k/a Patty Wagner, a/k/a "Red", and

GERALD LAKEITH WILLIAMS made, or caused to be made, the following monthly rental payments to be applied toward apartment #1107 at 1400 Laurel, Minneapolis, Minnesota:

Date	Amount	Method of Payment
5/1/93	$890.00	Cash
6/5/93	$880.00	Money Order
7/9/93	$930.00	Money Order
8/4/93	$870.00	Money Order
9/10/93	$400.00	Money Order
	$400.00	Money Order
	$ 80.00	Money Order
10/4/93	$700.00	Money Order
	$180.00	Money Order
11/6/93	$930.00	Money Order
TOTAL	$6,250.00	

all in violation of Title 18, United States Code, Section 1956(g).

COUNT THIRTY-FOUR

From on or about the 13th day of October, 1993, continuing until on or about the 16th day of November, 1993, in the State and District of Minnesota, in the state of California, and elsewhere, defendants,

GERALD LAKEITH WILLIAMS,
DALE MARIO EVANS,
SHIRLEY JEAN WILLIAMS, a/k/a Patty Wagner, a/k/a "Red",
CLAUDE OLIVER PHILLIPS, a/k/a "Rico",
JOHN DOE, a/k/a "C-Low",
JOHN DOE, a/k/a "J-Bone",
ANTHONY CONRAD WEBSTER, a/k/a Tony Webster,
MARK KEVIN WEBSTER,
RONALD NUNN, a/k/a Chaster Davis, a/k/a "Hud",
RAYMOND SHAUNDALE HOWARD,
DONALD ORLANDO HOWARD,
SID STRICKLAND-LANGUMS, a/k/a "Herb",
TONY NMN SPEANK, a/k/a Carl Michael Smith, a/k/a "Tone",
TODD LOVIS HOPSON, a/k/a Ted Shia, a/k/a "Snoop",
GORNELL RANDRALL WILLIAMS,
SYLVESTER CAGE, a/k/a "Vette",
JAMES ERICK NUNN, a/k/a, "Binky",
EDDIE THOMAS BRAZIEL,
ANNIE MARIENE MONDY,
GLOVER DERAND SMITH,
JOHNNY JACKSON, a/k/a Gene,
WAYMON EMMERSON ERVAN, a/k/a Ike, a/k/a "Lepp",
JIMMY COREY a/k/a "Ware", and,
HENRY PATTERSON, a/k/a "SS",

each aiding and abetting the other, did knowingly, intentionally, and unlawfully use several communication facilities, namely, a mobile cellular telephone, electronic serial number ("ESN") 13011154613, subscribed to by GERALD LAKEITH WILLIAMS; a mobile cellular telephone, ESN 13300484399, subscribed to by GERALD LAKEITH WILLIAMS; and, a telephone assigned the telephone number (612) 895-1966, subscribed to by SHIRLEY JEAN WILLIAMS, in causing and facilitating the commission of acts constituting felonies under the Controlled Substances Act, Title 21, United States Code,

Sections 801 *et.seq.*, as more specifically described in Count One of this Superseding Indictment, all in violation of Title 21, United States Code, Section 843(b) and Title 18, United States Code, Section 2.

A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON

MAR-29-2001 THU 11:16 AM FAX NO. P. 30

IN UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

NITED STATES OF AMERICA

v.

Docket No. CR 4-93-166
Defendant No. (09)

JOHN DOE,
a/k/a "C-Low,"
True Name: Carlos Vignali, Jr.

PRESENTENCE INVESTIGATION

<u>Prepared For:</u>
The Honorable David S. Doty
U.S. District Judge

<u>Prepared By:</u>
Joan L. White
U.S. Probation Officer
426 U.S. Courthouse
110 South Fourth Street
Minneapolis, MN 55401-2295
612/348-1980

<u>Assistant U.S. Attorney</u>
Denise D. Reilly
234 U.S. Courthouse
110 South Fourth Street
inneapolis, MN 55401
612/348-1500

<u>Defense Counsel</u>
Ronald I. Meshbesher
1616 Park Avenue
Minneapolis, MN 55404
612/339-9121

Daniel G. Davis
Penthouse Glendale Federal Savings
9454 Wilshire Boulevard
Beverly Hills, CA 90212
310/659-5800

<u>Plea/Verdict:</u>
On December 12, 1994, the defendant was found guilty of Counts 1, 16, and 34 by jury verdict.

<u>Offense:</u>
<u>Count 1:</u> Conspiracy to Manufacture, Possess with the Intent to Distribute, and Distribute More than 5 Kilograms of Cocaine and More than 50 Grams of Cocaine Base, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), and 846.

<u>Count 16:</u> Aiding and Abetting Using a Facility in Interstate Commerce with the Intent to Distribute Cocaine and Cocaine Base, in violation of 18 U.S.C. § 1952(a).

EXHIBIT
2
PENGAD-Bayonne, N.J.

Defendant's Name:	JOHN DOE
a/k/a:	"C-Low"
True Name:	Carlos Vignali, Jr.
Docket Number:	CR 4-93-166(09)

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Count 34: Aiding and Abetting Using Communication Facilities Under the Controlled Substance Act, in violation of 21 U.S.C. § 843(b) and 18 U.S.C. § 2.

Statutory Penalty:

Count 1: Ten years to life imprisonment; five years supervised release; $4,000,000 fine; and $50 special assessment.

Count 16: Five years imprisonment; three years supervised release; $250,000 fine; and $50 special assessment.

Count 34: Four years imprisonment; one year supervised release; $250,000 fine; and $50 special assessment.

Mandatory Minimum: YES

Plea Agreement: None.

Arrest Date: May 6, 1994

Custodial Status: May 12, 1994: Released on a $250,000 cash bond.
December 12, 1994: Remanded to custody.

Detention: Defendant IS subject to the mandatory detention provisions under 18 U.S.C. § 3143

Detainers: None.

Codefendants: See attached.

Date Report Prepared: January 18, 1995

Date Revised: No revisions

Date Submitted to Court: February 13, 1995

Identifying Data:

Date of Birth:	[redacted]
Race:	White (Hispanic)
Sex:	Male
Social Security Number:	[redacted]
U.S. Marshal Number:	
FBI Number:	
Citizenship:	United States
~~~~~~

Defendant's Name:	JOHN DOE
a/k/a:	"C-Low"
True Name:	Carlos Vignali, Jr.
ocket Number:	CR 4-93-166(09)

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Number of Dependents:	None
Educational Level:	Tenth Grade
Legal Address:	[redacted]
Telephone:	
<u>Disposition:</u>	<u>July 17, 1995:</u> Custody of the Bureau of Prisons 175 months; 5 years supervised release with standard conditions and drug aftercare condition; no fine; and $150 special assessment. In custody.
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STATUS OF CODEFENDANTS AS OF FEBRUARY 13, 1995

(Superseding Indictment Docket No. CR 4-93-166)

GERALD LAKEITH WILLIAMS, (01), pled guilty to Counts 1, 5, and 9 of the Superseding Indictment on May 20, 1994.

MAXINE MACKRELL, a/k/a Naomi Taylor, (02), pled guilty to Count 6 of the Superseding Indictment on June 17, 1994.

DALE MARIO EVANS, (03), pled guilty to Count 1 of the Superseding Indictment on June 28, 1994.

SHIRLEY JEAN WILLIAMS, a/k/a Patty Wagner, a/k/a "Red," (04), pled guilty to Counts 1 and 33 of the Superseding Indictment on May 31, 1994.

CLAUDE OLIVER PHILLIPS, a/k/a "Rico," (05), was found not guilty on all counts on December 7, 1994.

KEITH DWANE DAWSON, (06), pled guilty to Count 1 of the Superseding Indictment on June 29, 1994.

BERNARD LAFAYETTE RUTHERFORD, (07), pled guilty to a one-count Information on July 1, 1994.

MELVIN CAMPBELL, (08), pled guilty to a one-count Information on November 21, 1994.

JOHN DOE, a/k/a "C-Low," True name: Carlos Vignali, Jr., (09), found guilty on Counts 1, 16, and 34 of the Superseding Indictment on December 12, 1994. He was found not guilty on that date of Count 10.

JOHN DOE, a/k/a "J-Bone," True name: Jonathan Gray, (10), pled guilty to Count 1 on October 26, 1994.

ANTHONY CONRAD WEBSTER, a/k/a Tony Webster, (11), pled guilty to Count 1 of the Superseding Indictment on June 16, 1994.

MARK KEVIN WEBSTER, (12), pled guilty to Count 1 of the Superseding Indictment on July 13, 1994.

SONIA ALISSA ALCARAZ, (13), pled guilty to Count 26 of the Superseding Indictment on June 16, 1994.

RONALD NUNN, a/k/a Chaster Davis, a/k/a "Hud," (14), pled guilty to Count 34 of the Superseding Indictment on July 1, 1994.

RAYMOND SHAUNDALE HOWARD, (15), pled guilty to Count 1 of the Superseding Indictment on July 12, 1994.

DONALD ORLANDO HOWARD, (16), pled guilty to Count 32 of the Superseding Indictment on June 28, 1994.

SID STRICKLAND-LANGUMS, a/k/a "Herb," (17), pled guilty to Count 1 of the Superseding Indictment on June 28, 1994.

TONY NMN SPEANK, a/k/a Carl Michael Smith, a/k/a "Tone," True Name: Tony Speight, (18), pled guilty to Counts 1 and 30 of the Superseding Indictment on June 9, 1994.

TODD LOUIS HOPSON, a/k/a Ted Shia, a/k/a "Snoop," (19), found guilty on Counts 1, 10, 11, and 34 of the Superseding Indictment on December 7, 1994.

GORNELL RANDRALL WILLIAMS, (20), pled guilty to Counts 7 and 8 of the Superseding Indictment on June 21, 1994.

SYLVESTER CAGE, a/k/a "Vette," (21), pled guilty to Count 34 of the Superseding Indictment on July 12, 1994.

JAMES ERICK NUNN, a/k/a "Binky," (22), pled guilty to Count 34 of the Superseding Indictment on February 25, 1994.

ANNIE MARIENE MONDY, (23), pled guilty to Count 28 of the Superseding Indictment on July 1, 1994.

GLOVER DERAND SMITH, (24), pled guilty to Count 34 of the Superseding Indictment on July 7, 1994.

JOHNNY JACKSON, a/k/a Gene, (25), pled guilty to Count 34 of the Superseding Indictment on July 13, 1994.

WAYMON EMMERSON ERVAN, a/k/a Ike, a/k/a "Lepp," (26), pled guilty to Count 34 of the Superseding Indictment on July 1, 1994.

ROBERT LEAKE, a/k/a Robert Morris, (27), pled guilty to Count 7 of the Superseding Indictment on May 25, 1994.

EDDIE THOMAS BRAZIEL, (28), pled guilty to Count 34 of the Superseding Indictment on June 28, 1994.

JIMMY COREY, a/k/a "Ware," (29), pled guilty to a one-count Information on July 12, 1994.

HENRY LAVERNE PATTERSON, a/k/a "SS," (30), pled guilty to Count 34 of the Superseding Indictment on July 1, 1994.

(Indictment Docket No. CR 4-94-68)

ANDRE MADDOX, (01), pled guilty to a one-count Indictment on July 12, 1994.

PART A. THE OFFENSE

Charges and Convictions

1. On December 20, 1993, a 34-count Superseding Indictment was filed in the District of Minnesota charging the defendants, Gerald Lakeith Williams; Maxine Mackrell; Dale Mario Evans; Shirley Jean Williams; Claude Oliver Phillips; Keith Dwane Dawson; Bernard LaFayette Rutherford; Melvin Campbell; John Doe, a/k/a "C-Low"; John Doe, a/k/a "J-Bone"; Anthony Conrad Webster; Mark Kevin Webster; Sonia Alissa Alcaraz; Ronald Nunn; Raymond Shaundale Howard; Donald Orlando Howard; Sid Strickland-Langums; Tony Speank; Todd Louis Hopson; Gornell Randrall Williams; Sylvester Cage; James Erick Nunn; Annie Mariene Mondy; Glover Derand Smith; Johnny Jackson; Waymon Emmerson Ervan; Robert Leake; Eddie Thomas Braziel; Jimmy Corey; and Henry Laverne Patterson, with:

Count 1: Charged all defendants with Conspiracy to Manufacture, Possess with the Intent to Distribute, and Distribute More Than 5 Kilograms of Cocaine and More Than 50 Grams of Cocaine Base from on or about a date unknown to on or about November 9, 1993, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A) and 846.

Count 2: Charged Shirley Jean Williams and Bernard Lafayette Rutherford with Aiding and Abetting the Attempt to Conduct a Financial Transaction Affecting Interstate Commerce Involving Approximately $72,614 from the Unlawful Distribution of Cocaine and Cocaine Base on or about February 11, 1991, in violation of 18 U.S.C. § 1956(a)(1)(A)(i).

Count 3: Charged Gerald Lakeith Williams and Melvin Campbell with Aiding and Abetting the Attempt to Conduct a Financial Transaction Affecting Interstate Commerce Involving Approximately $38,000 from the Unlawful Distribution of Cocaine and Cocaine Base on or about April 13, 1992, in violation of 18 U.S.C. § 1956(a)(1)(A)(i).

Count 4: Charged Gerald Lakeith Williams and Maxine Mackrell with Aiding and Abetting Possession with the Intent to Distribute in Excess of 50 Grams of Cocaine Base on or about January 23, 1992, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A) and 18 U.S.C. § 2.

Count 5: Charged Gerald Lakeith Williams with Using and Carrying a Firearm, Namely, an IntraTech

9 Millimeter Semiautomatic Pistol, During and in Relation to a Drug Trafficking Crime on or about January 23, 1992, in violation of 18 U.S.C. § 924(c)(1).

Count 6: Charged Maxine Mackrell with Maintaining a Place for the Storing and Distribution of Cocaine Base on or about January 23, 1992, in violation of 21 U.S.C. § 856.

Count 7: Charged Gornell Randrall Williams and Robert Leake with Aiding and Abetting Possession with the Intent to Distribute Cocaine on or about April 14, 1992, in violation of 21 U.S.C. §§ 841(a)(1) and 846 and 18 U.S.C. § 2.

Count 8: Charged Gornell Randrall Williams with Using and Carrying a Firearm, Namely, a Luger Semiautomatic Pistol, During and in Relation to a Drug Trafficking Crime on or about April 14, 1992, in violation of 18 U.S.C. § 924(c)(1).

Count 9: Charged Gerald Lakeith Williams and Melvin Campbell with Aiding and Abetting Conducting a Financial Transaction Affecting Interstate Commerce Involving Approximately $43,000 from the Unlawful Distribution of Cocaine and Cocaine Base on or about May 17, 1992, in violation of 18 U.S.C. §§ 2 and 1956(a)(1)(A)(i).

Count 10: Charged Gerald Lakeith Williams, Dale Mario Evans, Todd Louis Hopson, John Doe (a/k/a "C-Low"), and John Doe (a/k/a "J-Bone") with Aiding and Abetting Using a Facility in Interstate Commerce with the Intent to Distribute Cocaine and Cocaine Base on or about October 20, 1993, in violation of 18 U.S.C. §§ 2 and 1952(a).

Count 11: Charged Gerald Lakeith Williams, Dale Mario Evans, Ronald Nunn, and Todd Louis Hopson with Aiding and Abetting Possession with the Intent to Distribute in Excess of Five Kilograms of Cocaine on or about October 21, 1993, in violation of 21 U.S.C. §§ 841(a)(1) and 841(B)(1)(A) and 18 U.S.C. § 2.

Count 12: Charged Gerald Lakeith Williams and Waymon Emmerson Ervan with Aiding and Abetting Manufacturing in Excess of 50 Grams of Cocaine Base on or about October 22, 1993, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A) and 18 U.S.C. § 2.

Count 13: Charged Johnny Jackson with Possession with the Intent to Distribute and Distributing Cocaine Base on or about October 22, 1993, in violation of 21 U.S.C. § 841(a)(1).

Count 14: Charged Dale Mario Evans with Travelling in Interstate Commerce with the Intent to Distribute the Proceeds of the Distribution of Cocaine and Cocaine Base on or about October 22, 1993, in violation of 18 U.S.C. § 1952(a).

Count 15: Charged Eddie Thomas Braziel with Possession with the Intent to Distribute and Distributing Cocaine Base on or about October 26, 1993, in violation of 21 U.S.C. § 841(a)(1).

Count 16: Charged Gerald Lakeith Williams, Dale Mario Evans, John Doe (a/k/a "C-Low"), and John Doe (a/k/a "J-Bone") with Aiding and Abetting Using a Facility in Interstate Commerce with the Intent to Distribute Cocaine and Cocaine Base on or about October 27, 1993, in violation of 18 U.S.C. §§ 2 and 1952(a).

Count 17: Charged Gerald Lakeith Williams, Dale Mario Evans, Ronald Nunn, and Henry Patterson with Aiding and Abetting Possession with the Intent to Distribute in Excess of Five Kilograms of Cocaine on or about October 28, 1993, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), 846 and 18 U.S.C. § 2.

Count 18: Charged Gerald Lakeith Williams, Dale Mario Evans, Shirley Jean Williams, and Annie Mariene Mondy with Aiding and Abetting Using a Facility in Interstate Commerce with the Intent to Distribute Cocaine and Cocaine Base on or about November 1, 1993, in violation of 18 U.S.C. §§ 2 and 1952(a).

Count 19: Charged Gerald Lakeith Williams and Waymon Emmerson Ervan with Aiding and Abetting the Manufacture in Excess of 50 Grams of Cocaine Base on or about November 1, 1993, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A) and 18 U.S.C. § 2.

Count 20: Charged Jimmy Corey with Maintaining a Place for the Manufacture of Cocaine Base on or about November 1, 1993, in violation of 21 U.S.C. § 856.

Count 21: Charged Gerald Lakeith Williams and Sid Strickland-Langums with Aiding and Abetting the Distribution of Cocaine Base on or about November 1, 1993, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2.

Count 22: Charged Mark Kevin Webster and Anthony Conrad Webster with Aiding and Abetting the Distribution of Cocaine on or about November 4, 1993, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2.

Count 23: Charged Gerald Lakeith Williams, Waymon Emmerson Ervan, Sid Strickland-Langums, and Tony Speank with Aiding and Abetting the Manufacture and Possession with the Intent to Distribute Cocaine and Cocaine Base on or about November 4, 1993, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B) and 18 U.S.C. § 2.

Count 24: Charged Anthony Conrad Webster, Mark Kevin Webster, Gerald Lakeith Williams, Keith Dwane Dawson, Raymond Shaundale Howard, and Sonia Alissa Alcaraz with Aiding and Abetting Using a Facility in Interstate Commerce with the Intent to Distribute the Proceeds from the Distribution of Cocaine and Cocaine Base on or about November 8, 1993, in violation of 18 U.S.C. §§ 2 and 1952(a).

Count 25: Charged Anthony Conrad Webster and Sonia Alissa Alcaraz with Aiding and Abetting Possession with the Intent to Distribute Cocaine on or about November 9, 1993, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2.

Count 26: Charged Sonia Alissa Alcaraz with Maintaining a Place for Storing and Distributing Cocaine on or about November 9, 1993, in violation of 21 U.S.C. § 856.

Count 27: Charged Annie Mariene Mondy with Possession with the Intent to Distribute Cocaine on or about November 9, 1993, in violation of 21 U.S.C. § 841(a)(1).

Count 28: Charged Annie Mariene Mondy with Maintaining a Place for the Storing and Distribution of Cocaine on or about November 9, 1993, in violation of 21 U.S.C. § 856.

Count 29: Charged Tony Speank with Possession with the Intent to Distribute Cocaine Base on or about

November 9, 1993, in violation of 21 U.S.C. § 841(a)(1).

Count 30: Charged Tony Speank with Using and Carrying a Firearm, Namely, a 9 Millimeter Glock Semiautomatic Pistol, During and in Relation to a Drug Trafficking Crime on or about November 9, 1993, in violation of 18 U.S.C. § 924(c).

Count 31: Charged Glover Derand Smith with Possession with the Intent to Distribute in Excess of Five Grams of Cocaine Base on or about November 9, 1993, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B).

Count 32: Charged Donald Orlando Howard with Possession with the Intent to Distribute in Excess of Five Grams of Cocaine Base on or about November 9, 1993, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B).

Count 33: Charged Gerald Lakeith Williams and Shirley Jean Williams with Conspiracy to Conduct and Attempt to Conduct Financial Transactions Affecting Interstate Commerce Knowing that the Property Involved in the Financial Transactions Represented the Proceeds of Unlawful Activities and Knowing that the Transactions Were Designed to Conceal the Nature of the Proceeds from on or about March 30, 1993, until on or about November 9, 1993, in violation of 18 U.S.C. § 1956(a)(1)(B)(i).

Count 34: Charged all defendants with Aiding and Abetting Using Communication Facilities for the Commission of Felonies Under the Controlled Substances Act from on or about October 13, 1993, until on or about November 16, 1993, in violation of 21 U.S.C. § 843(b) and 18 U.S.C. § 2.

2. On December 12, 1994, John Doe (True Name: Carlos Vignali, Jr.) appeared before U.S. District Judge David S. Doty when a jury returned guilty verdicts to Counts 1, 16, and 34 of the Superseding Indictment. The defendant was found not guilty to Count 10 of the Superseding Indictment.

Related Cases

3. On June 8, 1994, a one-count Indictment was filed in the District of Minnesota charging Andre Maddox with Conspiracy to Possess with the Intent to Distribute and Distribute Five Kilograms or More of Cocaine from about the summer of 1993 to on or about November 9, 1993, in violation of 21 U.S.C. § 846.

4. On July 12, 1994, Andre Maddox appeared before U. S. District Judge David S. Doty and entered a plea of guilty to the one-count Indictment.

The Offense Conduct

5. The following information was obtained by reviewing materials regarding the offense prepared by the Minneapolis Police Department and the Drug Enforcement Administration (DEA).

6. The following is a summary of a cocaine distribution network in Minneapolis, Minnesota. The cocaine was obtained by sources in California such as Melvin Campbell, Bernard Rutherford, Dale Evans, and Andre Maddox. Some of the cocaine that came from California was obtained through Carlos Vignali and Jonathan Gray. Other sources were Keith Dawson in Las Vegas, Nevada, and Tony Webster in Minneapolis. The cocaine was distributed in Minneapolis through a network of people. Gerald Williams was the main distributor. He had a number of individuals who performed different duties within the organization. Gerald Williams' mother, Shirley Williams, assisted by finding sources of cocaine through her old criminal contacts and by making arrangements for deliveries of cocaine. Gerald Williams' girlfriend, Maxine Mackrell, provided residences from which Gerald Williams operated. Annie Mondy, Jimmy Corey, and Sonia Alcaraz provided other residences where the cocaine was delivered, stored, or sold. Several individuals were involved in the distribution of the cocaine, including Gornell Williams (Gerald Williams' brother), Sid Strickland, James Nunn, Tony Speank (true name Speight), Glover Smith, Ronald Nunn, Raymond Howard, Donald Howard, Johnny Jackson, and Eddie Braziel. Not all of the individuals listed received cocaine directly from Gerald Williams; some were indirectly involved with him. Robert Leake was involved in attempting to distribute cocaine with Gornell Williams that was from Melvin Campbell. Henry Patterson attempted to purchase some cocaine from Gerald Williams; however, the transactions never took place. Todd Hopson was introduced to Dale Evans by Ronald Nunn and began buying cocaine from Evans without the knowledge of Gerald Williams. Waymon Ervan converted the cocaine to cocaine base for Gerald Williams. Sylvester Cage held a position similar to that of a bodyguard or enforcer for Gerald Williams.

7. Melvin Campbell was one of the historical sources of cocaine to the Williams' family and their associates. He lived in the Los Angeles, California, area. He had other individuals courier the cocaine from California to Minnesota. Campbell also sent the cocaine through the mail. After the cocaine was in Minnesota and distributed, the money for the cocaine was sent back to Campbell in California through the mail or Western Union or it was carried by couriers. Melvin Campbell

used the telephone to make arrangements with Shirley Williams regarding the distribution of cocaine.

8. Sometimes Melvin Campbell couriered his money himself on planes. He was stopped in 1985 in the Atlanta airport and again in 1991 in the Dallas/Fort Worth airport with large quantities of money.

9. Shirley Williams testified that she got into the drug business in the 1980s. She received cocaine from a number of suppliers over the years including Mark Webster, Melvin Campbell, and others. In the 1980s, she had a number of crack houses in Minnesota where she sold these drugs. She received large quantities of drugs from Melvin Campbell, including kilograms of cocaine.

10. In the 1980s, Campbell transported the cocaine to Minnesota by having individuals strap cocaine to their body and fly from California to Minnesota. Campbell usually accompanied the person on the same plane. Once in Minnesota, Campbell and the courier went to Shirley Williams' home to deliver the cocaine. Campbell also cooked the cocaine powder into crack cocaine at Williams' home in Minneapolis.

11. In March 1988, Campbell was arrested in Minneapolis with one of Shirley Williams' brothers. Campbell was in possession of cocaine and had a gun in the car. Shortly after his arrest, Campbell agreed to cooperate with police to set up Shirley Williams. Campbell, working under the direction of the Minneapolis Police Department, sold Shirley Williams approximately one pound of cocaine. Campbell and a Minneapolis police officer delivered the pound of cocaine to Shirley Williams and she was arrested. After her arrest, Shirley Williams and Melvin Campbell had a falling out and did not deal with each other in the drug business for a while.

12. Shirley Williams testified that she and Melvin Campbell started doing business again around 1991. At that time, Shirley Williams introduced some of Gerald Williams' friends to Melvin Campbell. They flew to Los Angeles with Shirley so they could meet Melvin Campbell and start purchasing drugs from him. The understanding was that Shirley Williams would get $1,000 for every kilogram that Campbell sold to them. Some of that cocaine was mailed to Shirley Williams' brother's store in north Minneapolis.

13. Gerald Williams testified that he started selling drugs when he was a teenager. He stated he met Melvin Campbell in the mid-1980s through another individual. Later, Gerald Williams saw Campbell deliver drugs to Shirley Williams at their home.

14. In 1989, Gerald Williams' cousin in California introduced him to Bernard Rutherford. Williams began to obtain his cocaine

from Bernard Rutherford. Rutherford usually sent the cocaine through the mail.

15. On February 11, 1991, Bernard Rutherford and another individual were stopped by law enforcement in Utah. The officer searched the rental car they were driving and found $72,614 in U.S. currency taped to the car.

16. In September 1991, Gerald Williams and a friend made plans to fly to California to purchase cocaine from Melvin Campbell. They were stopped in the Phoenix airport and $3,000 was seized from them. They continued on to Los Angeles where they met with Melvin Campbell and made arrangements to buy cocaine. For the next several months, both Bernard Rutherford and Melvin Campbell supplied cocaine to Gerald Williams. Melvin Campbell sent the cocaine through the mail. At that time, Melvin Campbell charged $4,000 to $4,500 for a quarter-kilogram of cocaine and $9,000 for a half-kilogram of cocaine.

17. In January 1992, an individual was arrested in Minneapolis for possessing cocaine base and possessing a firearm. This individual (CI-1) agreed to cooperate with law enforcement officials at the time of his/her arrest. CI-1 proceeded to provide information on the cocaine and cocaine distribution of Gerald Williams in the Minneapolis area. CI-1 indicated that he/she purchased large quantities of cocaine from Gerald Williams between 1989 and 1992. On January 22, 1992, Gerald Williams called CI-1, said that he had received three kilograms of cocaine, and told CI-1 to come to Gerald Williams' apartment if he/she wanted some of the cocaine.

18. Based on the above information, officers obtained a search warrant for Gerald Williams' apartment at 2417 Garfield Avenue South, #301, Minneapolis, Minnesota. Maxine Mackrell, Gerald Williams' girlfriend, rented the apartment under the name Naomi Taylor. She listed a prior address on the application as 3289 Hillridge Drive, Eagan, Minnesota. That address was Shirley Williams' residence. The rental application also listed Naomi Taylor's mother as Linda Mackrell, who was Maxine Mackrell's mother.

19. During the search of the apartment on Garfield Avenue officers found the following: approximately 75 grams of cocaine base; scales; packaging materials; a Tech Nine semiautomatic pistol with ammunition; documents belonging to Gerald Williams with Melvin Campbell's name; and a Pasadena address. The telephone records from that apartment showed that Williams was calling Campbell. After the search of the apartment, the apartment was abandoned by the occupants. The cocaine seized at this apartment was from another source.

20. In February of 1992, officers received information from another individual that one of Gerald Williams' buyers

purchased more than a quarter-kilogram of cocaine base several times per month from Gerald Williams.

21. In April of 1992, Gornell Williams and Robert Leake were arrested when they tried to pick up a package of cocaine powder that had been mailed to an address in Minneapolis from Melvin Campbell in California. Shirley Williams testified that she made the arrangements for Melvin Campbell to sell this cocaine to Gornell Williams and Robert Leake. Officers stopped their vehicle and saw a gun sticking out from under one of the floor mats. Another individual was in the vehicle with them and she indicated that they were on their way to pick up a package at the post office. Officers then intercepted that package and found eight ounces of cocaine inside.

22. At the time of his arrest, Gornell Williams admitted the gun found in the car was his and that he used it for protection. Williams further admitted that Leake had a sawed-off shotgun that used to be his but they had traded weapons. He indicated he was involved in selling crack cocaine but in much smaller amounts than his brother, Gerald. He stated that he sold amounts of $50 to $100. Leake confirmed the information provided by Gornell Williams.

23. In May 1992, Gerald Williams gave his uncle, Shirley's brother, about $42,000 to deliver to Melvin Campbell in California for the purchase of cocaine. His uncle was stopped at the Las Vegas airport by narcotics officers and the money was seized. When his uncle called Campbell to tell him what happened, Campbell told him to go home. Campbell also told him what types of papers to file with law enforcement to get the money back. Campbell indicated the same thing had happened to him twice before.

24. After that incident, Gerald Williams stopped getting his cocaine from Campbell and started getting his cocaine from Dale Evans, a young man from the Los Angeles area. Gerald Williams met Dale Evans in January 1992 at a restaurant in Minneapolis and saw him again at a friend's house during the summer of 1992. Williams bought a kilogram of crack cocaine from Evans at that time. From that time to the time Williams was arrested, he received most of his cocaine from Dale Evans.

25. In the beginning, Dale Evans sent crack cocaine packaged in basketballs. The crack cocaine was sent to Jimmy Corey's house or Annie Mondy's house for Gerald. Tony Speight testified that he went with Gerald Williams to Annie Mondy's house to pick up packages of cocaine. After picking up the cocaine at Annie Mondy's, Gerald went to Corey's house and divided the package into smaller amounts.

26. In 1992, Jimmy Corey allowed Gerald Williams to store cocaine at Corey's apartment. Williams also distributed cocaine from Corey's apartment. Williams either paid Corey cash or gave him small amounts of drugs for the use of the apartment. Because of the traffic associated with this drug dealing, Corey had problems with his landlord. Later in 1992, Corey moved and would not allow Gerald Williams to use his apartment for the storage or distribution of drugs.

27. In the fall of 1992, Gerald Williams stopped buying crack cocaine from Dale Evans and started buying cocaine powder. Gerald Williams met Waymon Ervan and Ervan began cooking the powder cocaine into crack cocaine for Gerald. Ervan was able to convert one kilogram (approximately 36 ounces) of powder cocaine into approximately 45 ounces of crack cocaine.

28. In November 1992, a confidential informant (CI-2) provided information that he/she had been a narcotics distributor for Gerald Williams in the past. CI-2 indicated to officers that, during 1992, CI-2 sold hundreds of ounces of cocaine for Gerald Williams and had been with Gerald Williams when he purchased large quantities of cocaine. Gerald Williams had quantities of over one kilogram of cocaine mailed from California on a regular basis.

29. In December 1992, Tony Speight met Dale Evans in Minneapolis. At that time, Gerald Williams told Speight that Evans was his cocaine source. In 1993, Speight began going with Gerald Williams when he dropped off cocaine to his customers. Some of those customers were Sid Strickland, Donald Howard, Glover Smith, Johnny Jackson and, later in 1993, Raymond Howard.

30. Early in 1993, Dale Evans reestablished contact with Jonathan Gray, a former boyfriend of Evans' sister. Gray agreed to start supplying kilograms of cocaine to Dale Evans. Evans testified that he met Carlos Vignali through Jonathan Gray. Evans gave Jonathan Gray the nickname "J-Bone" and Carlos Vignali the nickname "C-low". In the summer of 1993, Evans learned that Carlos Vignali was Gray's cocaine source.

31. Dale Evans and Gerald Williams testified that, during 1993, Evans was sending an average of one to two kilograms of cocaine to Minnesota each week. Evans obtained this cocaine from Jonathan Gray and later from Carlos Vignali or Jonathan Gray. During the summer and fall of 1993, Evans called either Carlos Vignali or Jonathan Gray to place orders for the cocaine. During most of 1993, Dale Evans paid for the cocaine he received from Gray and Vignali up front. However, shortly before he was arrested, Evans started receiving the cocaine on a "front."

32. In June 1993, a confidential informant (CI-3) provided information indicating that Gerald Williams was one of the

largest cocaine distributors in the Minneapolis area. CI-3 had seen Gerald Williams with more than three and one-half kilograms of cocaine and more than $40,000 in cash. At that time, Gerald Williams was selling cocaine for $800 per ounce at the rate of three to four kilograms per month. CI-3 also provided information that Donald Howard, Raymond Howard, Sid Strickland, James Nunn, and Shirley Williams were involved in the distribution of cocaine with Gerald Williams.

33. Based on information collected from confidential informants and other sources, officers were able to initiate court-ordered wire taps on various residential and cellular telephones to monitor calls to and from Gerald Williams regarding cocaine distribution. Many of the intercepted conversations involved coded language and had to be interpreted by investigating officers. On October 13 and 26, 1993, agents started monitoring conversations on a cellular telephone subscribed to Gerald Williams, another number associated with Gerald Williams, and a telephone subscribed to Shirley Williams and located at her residence.

34. On October 13, 1993, officers intercepted a call from Gerald Williams to Dale Evans in California. Evans asked Williams, "Did you want to get something?" Then they discussed transportation methods and costs for getting cocaine from California to Minnesota.

35. On October 14, 1993, a call was intercepted from Shirley Williams to Gerald Williams during which they discussed recent contacts with Claude Phillips in Memphis, Tennessee. Shirley and Gerald Williams went to Memphis to obtain cocaine from Claude Phillips; however, the transaction did not take place and their conversation was a discussion of what went wrong with the transaction. Shirley explained to Gerald that the deal did not take place because Claude Phillips "got spooked." Gornell Williams was on the phone with Gerald during part of the conversation during which Gerald explained to Gornell what had happened and why they returned so quickly from Tennessee.

36. On October 15, 1993, agents intercepted a telephone call between Gerald Williams and Henry Patterson. Patterson asked to meet Gerald Williams.

37. On October 20, 1993, Sylvester had a conversation with Gerald Williams. Williams told Cage that he had some work for Cage to do. Gerald told Cage that Maxine Mackrell took $9,000 from him and that Cage should "blast the bitch" and he wanted her car "blown up." Cage indicated that he would do that for Williams. Williams stated that he provided Sylvester Cage with crack cocaine for Cage's use.

38. During a later conversation between Sid Strickland and Gerald Williams, Williams told Strickland that he had the drugs

ready. Strickland indicated that he was trying to get the money together. Williams told Strickland to get the money together as soon as possible. Strickland told Gerald Williams to save the cocaine for him.

39. Ronald Nunn was a friend of Todd Hopson. Nunn testified that he started hanging out with Hopson during the spring of 1993. Initially, Nunn received small quantities of crack cocaine from Hopson. Eventually, Nunn was receiving nine ounces of crack cocaine from Hopson each time Hopson received a shipment from his source in New York. However, Hopson thought his source was charging too much for each kilogram of cocaine and was not able to supply the quantity that Hopson could distribute. Ronald Nunn introduced Hopson to Dale Evans whom he met through Gerald Williams during the summer of 1993. In October 1993, Ronald Nunn and Hopson flew to Los Angeles so Hopson could meet Evans. Hopson bought 45 ounces of crack cocaine from Evans on that trip.

40. Donald Howard possessed a cellular phone in the name of his girlfriend. Several phone calls were made by Gerald Williams to that number between October 17, 1993, and November 1, 1993. On October 17, 1993, a telephone call was intercepted between Gerald Williams and Donald Howard during which they discussed a narcotics transaction.

41. In the summer and fall of 1993, Gerald Williams and Dale Evans had some "business" problems. They lost thousands of dollars that had been sent through the mail to pay for cocaine and they lost several kilograms of cocaine that had been sent to Minnesota.

42. Around October 20, 1993, Dale Evans came to Minnesota to make sure that things went okay. Prior to leaving Los Angeles, Evans made arrangements with Jonathan Gray and Carlos Vignali to have six kilograms of cocaine sent to Todd Hopson's relative at 4646 Penkwe in Eagan, Minnesota.

43. On October 20, 1993, officers intercepted telephone calls made by Dale Evans on Gerald Williams' cellular phone regarding cocaine that had been shipped from California to Minneapolis.

44. On October 20, 1993, agents intercepted a telephone conversation between Gerald Williams and Henry Patterson. Gerald Williams told Patterson that he would give him a call as soon as he "got it."

45. On October 21, 1993, officers conducted surveillance on Dale Evans, Ronald Nunn, and Todd Hopson. Ronald Nunn picked up Evans at Gerald Williams' apartment in Minneapolis. They drove to Todd Hopson's home in Apple Valley, Minnesota, picked him up, and then went to 4646 Penkwe in Eagan. At that residence, they picked up a large parcel and returned with it

to the residence in Apple Valley. Evans, Nunn, and Hopson detected police surveillance and made evasive driving moves.

46. Agents intercepted telephone calls between Dale Evans and Carlos Vignali and Dale Evans and Jonathan Gray in which Evans talked about the police surveillance. Other telephone conversations intercepted during that period of time indicated the package of cocaine had arrived from California. Hopson and Evans discussed how the package was wrapped and made arrangements to meet later in the day to get it.

47. Later in the day, Gerald Williams, Dale Evans, and Tony Speight drove to Apple Valley to meet with Todd Hopson and pick up four kilograms of cocaine. Todd Hopson delivered the cocaine to Tony Speight at the Apple Valley residence. The residence in Apple Valley was rented by Hopson's sister and used by Todd Hopson. The telephone in the residence was subscribed to another sister of Todd Hopson.

48. Gerald Williams distributed three of the four kilograms discussed above to Raymond Howard. The remaining kilogram was converted into cocaine base by Waymon Ervan and sold to Sid Strickland. Gerald Williams and Ervan made arrangements over the telephone for Ervan to cook the cocaine into crack. Tony Speight testified that he brought a scale over to the residence where Ervan cooked the cocaine.

49. Dale Evans returned to California the following day. Prior to returning to California, he mailed the money he collected for the cocaine. In intercepted telephone conversations, Evans told Jonathan Gray and Carlos Vignali that he would meet with them Saturday morning to give them the money.

50. On October 22, 1993, a call between Waymon Ervan and Gerald Williams was intercepted. They discussed Ervan storing multiple ounces of cocaine for Gerald Williams until the following day. That cocaine was kept at Ervan's apartment located at 2023 Portland Avenue South, #3, Minneapolis.

51. On October 22, 1993, agents intercepted a telephone call between Gerald Williams and Johnny Jackson. They discussed Jackson obtaining cocaine from Williams. Later on October 22, 1993, officers conducted surveillance on Gerald Williams and Tony Speight. Williams drove in his Chevy Blazer to Johnny Jackson's residence at 2609 Portland Avenue South in Minneapolis. Jackson came out of this residence to meet with Williams and received cocaine from him at that time.

52. On October 22, 1993, officers executed a search warrant at 2609 Portland Avenue South, #1, in Minneapolis, the home of Johnny Jackson. During the search of this residence, officers found 42 grams of cocaine base and 10 grams of marijuana.

53. On October 22, 1993, agents intercepted a telephone call between Gerald Williams and Henry Patterson. Patterson told Gerald Williams that they were going to hook up that night.

54. On October 23, 1993, Ronald Nunn and Gerald Williams were stopped by police. Nunn and Williams had four ounces of crack cocaine in the car with them. They threw the crack cocaine out of the car before they were stopped. Later, the crack cocaine was retrieved and distributed by Williams and Nunn.

55. On October 25, 1993, agents intercepted a call between Gerald Williams and Henry Patterson. They agreed to "hook up" later.

56. During October 1993, Eddie Braziel telephoned Ronald Nunn's pager. Nunn returned Braziel's page and the two of them discussed Braziel obtaining cocaine from Nunn.

57. On October 26, 1993, agents intercepted a conversation involving Gerald Williams, Dale Evans, and Jonathan Gray. Evans asked if Williams had talked with Ronald Nunn about the package that was going to Ronald Nunn's apartment. Williams said that he had talked to Nunn and that Nunn was "shakey" about the cocaine coming to his home. Evans said that he was presently with Jonathan Gray and Carlos Vignali and that the three of them were "coming to Minnesota on Sunday."

58. On October 26, 1993, calls were intercepted between Gerald Williams and Dale Evans that indicated a multiple-kilogram quantity of cocaine would be shipped from Los Angeles, California, to 6508 Zane Avenue North, Brooklyn Park, Minnesota, the residence of Ronald Nunn. Although Ronald Nunn learned that the package had been sent to his apartment, he did not want to be involved in accepting the package. Instead, Gerald Williams went to the apartment to receive it. Agents obtained a search warrant for the package. It was intercepted by postal inspectors and found to contain six kilograms of cocaine.

59. Agents intercepted a number of telephone conversations between Gerald Williams, Ronald Nunn, Dale Evans, and Carlos Vignali while they were waiting for the cocaine to arrive at Nunn's apartment.

60. On October 26, 1993, agents intercepted a telephone call between Gerald Williams and Glover Smith. Smith asked Williams what was "up with that thing?" Williams replied that he was "waiting on dude."

61. On October 26, 1993, agents intercepted a telephone call between Johnny Jackson and an unidentified male. The male asked Jackson if he had "any candy?" Jackson replied, "Not yet."

62. Between October 27 and 29, 1993, there were several telephone calls between Glover Smith and Gerald Williams. On October 27, 1993, they specifically discussed Glover Smith buying narcotics from Gerald Williams.

63. On October 29, 1993, agents intercepted a call between Gerald Williams and Dale Evans. Evans asked if the cocaine had "arrived yet?" Gerald said that it had not and asked if Dale's source was going to cut them off.

64. On October 29, 1993, agents intercepted a telephone conversation involving Gerald Williams, James Nunn, and Sid Strickland. James Nunn asked Gerald Williams, "So, what's up on the tiz id (cocaine)?" Williams replied that he was still on "higitty hig end" (still on hold) but that he would "get with" James Nunn and Sid Strickland as soon as he found out what was happening.

65. Because the package of cocaine that was shipped to Zane Avenue had been intercepted by law enforcement, Glover Smith, John Jackson, Henry Patterson, James Nunn, and Sid Strickland did not receive the cocaine they talked about in the telephone conversations.

66. On October 31, 1993, agents intercepted a call between Gerald Williams, Dale Evans, and Carlos Vignali. In response to Evans' question, "Love never got there?", Gerald Williams replied "no." Evans indicated that he was in the car with Vignali "trying to figure out what we're going to do." Evans stated that they had called the post office to see if the package had arrived. Vignali then got on the telephone and said, "This is the other end," and told Gerald to send somebody into the post office to find out about the package. Vignali then said, "We sent that right down that day," and then told Gerald to get on "good horns" (public telephones).

67. The records from Carlos Vignali's cellular telephone correspond to some of these intercepted calls. Those records also show a call from Vignali's cellular telephone to Todd Hopson's telephone during this time.

68. In late October, Hopson flew to Los Angeles to purchase kilograms of cocaine from Dale Evans. Dale Evans testified that he and Hopson met Carlos Vignali at a restaurant in Los Angeles. Vignali agreed to sell Hopson three kilograms of cocaine. Hopson, Evans, and a friend of Evans followed Vignali to an apartment in the east part of Los Angeles. Hopson's money was given to Vignali and Vignali had another person bring out three kilograms of cocaine. Hopson mailed that cocaine to Minnesota himself. Ronald Nunn testified that Hopson cooked those three kilograms of powder cocaine into crack cocaine. Ronald Nunn received nine ounces of crack cocaine from that shipment.

69. On October 31, 1993, Evans and Williams talked again. Evans told Williams that they would no longer be "fronted" drugs. Several hours later, Gerald Williams called Dale Evans and they agreed that Evans would send one kilogram of cocaine to Annie Mondy's house.

70. On October 31, 1993, Shirley Williams spoke to Annie Mondy and asked her to go to work late on November 2, 1993. Shirley Williams also verified Annie Mondy's zip code during the phone conversation.

71. On November 2, 1993, postal inspectors intercepted a package addressed to Annie Mondy that contained one kilogram of cocaine. Dale Evans sent the package and his fingerprint was found on the kilogram wrapper.

72. On November 1, 1993, Tony Webster distributed one kilogram of cocaine to Gerald Williams. Waymon Ervan cooked that cocaine into crack cocaine. In one intercepted telephone conversation, Ervan complained to Gerald Williams that the cocaine "crumbled up." A short time later, Gerald Williams telephoned Ervan and said that he was coming over with the "ruler" (scale). A short time later, Sid Strickland called Gerald Williams and asked, "What you want me to do?" Williams replied that he was "fixing to go biz-aking right nizow" and that he was going to "throw [Strickland] a whole extra one."

73. On November 1, 1993, Gerald Williams was observed going to 2535 Clinton Avenue South in Minneapolis, the residence of Jimmy Corey. Agents monitored a telephone call in which Williams told Sid Strickland that it was "2535-outside." He met with Sid Strickland at that address and provided him with one kilogram of crack cocaine.

74. On November 4, 1993, Tony Webster distributed one kilogram of cocaine to Gerald Williams.

75. Andre Maddox supplied the November 1 and 4, 1993, cocaine to Tony Webster. In the summer of 1993, Tony Webster began purchasing cocaine from Andre Maddox. Maddox initially used female couriers to transport the cocaine from Los Angeles, California, to Minnesota. Earlier in the summer of 1993, Maddox sent a kilogram of cocaine to Mark Webster's house. A courier carried this kilogram of cocaine on a Northwest Airlines flight.

76. Andre Maddox later shipped kilograms of cocaine to Tony Webster via Federal Express. Tony Webster and Sonia Alcaraz checked into a Minneapolis area hotel in order to receive the packages of cocaine. Tony Webster supplied Maddox with the hotel address and Maddox shipped the packages by next day air delivery to the hotel. After receiving the packages of cocaine, Tony Webster shipped money back to Maddox via Federal

Express. Agents were able to corroborate approximately five shipments of cocaine from Maddox to Tony Webster through area hotel records.

77. Agents intercepted a telephone conversation between Gerald Williams and Waymon Ervan in which they agreed to meet at 3538 Newton Avenue North in Minneapolis to cook the cocaine into crack cocaine.

78. On November 4, 1993, a call was intercepted during which Gerald Williams arranged for Tony Speight to bring a scale to 3538 Newton Avenue North in Minneapolis. Speight was then observed going to 3538 Newton Avenue North and meeting with Gerald Williams. At the residence, they cooked the cocaine from Tony Webster into cocaine base. One kilogram of cocaine base was sold to Sid Strickland. Tony Speight testified that he received several ounces of cocaine from each of Gerald's shipments from Tony Webster. Speight then sold this as crack cocaine.

79. On November 4, 1993, a call was intercepted from Gerald Williams to Mark Webster. They discussed the quality of some cocaine and Gerald Williams indicated that he was cooking it up at that time.

80. On November 4, 1993, agents executed a search warrant at 3538 Newton Avenue North in Minneapolis after Gerald Williams had left the residence. They recovered pans that had been used to cook the powder cocaine into crack. The pans contained traces of cocaine.

81. On November 5, 1993, a telephone call was intercepted from Mark Webster on Gerald Williams' phone to a third party. He stated that he was "half out right now" and "the town is dry."

82. On November 5, 1993, Gerald Williams and Tony Webster went to Las Vegas. Upon arriving in Las Vegas, Tony Webster spoke to Keith Dawson about getting multiple kilograms of cocaine and they made arrangements for Dawson to obtain multiple kilograms of cocaine for Tony Webster. Dawson was going to charge Tony Webster about $18,000 per kilogram of cocaine. Tony Webster was going to charge Gerald Williams about $22,000 or $23,000 per kilogram of cocaine.

83. On November 7, 1993, Gerald Williams and Tony Webster returned from Las Vegas to Minneapolis. On November 8, 1993, they gathered the money needed for the transaction. Raymond Howard provided $69,000 to Gerald Williams. A small portion of that money was from Raymond Howard and the rest was from another individual but was delivered by Raymond Howard to Gerald Williams. Gerald Williams then gave Tony Webster more than $90,000. Tony Webster packaged the money into a crockpot and took it to the Federal Express office by the airport. The

money for the transaction was to be sent by Federal Express to Keith Dawson in Las Vegas. Agents intercepted the package containing the money and obtained a search warrant for the package. Inside the package officers found $87,590. The receipt for that package was found in the residence of Tony Webster and Sonia Alcaraz during a search on November 9, 1993.

84. Between October 15, 1993, and November 5, 1993, there were approximately 25 telephone calls made from Gerald Williams to Mark Webster. Mark Webster arranged for the rental car Shirley Williams took to Tennessee to meet with Claude Phillips to try to obtain cocaine.

85. On November 9, 1993, search warrants were executed on several residences of individuals involved in the conspiracy.

86. A search warrant was issued for the residence of Gerald Williams at 1400 Laurel, Apartment 1107, Minneapolis, Minnesota. Items seized during the search included: 25.3 grams of marijuana; $13,806 in cash; and other miscellaneous items.

87. A search warrant was executed on the home and vehicles of Dale Evans at 1907 Isabel Street, Los Angeles, California. Found at the residence were the following items: an AK-47 assault rifle and ammunition; a Desert Eagle pistol and ammunition; a Smith and Wesson 9 millimeter pistol and loaded magazine; a bag containing marijuana; pagers; addresses for Todd Hopson and Ronald Nunn; pictures of Evans, Nunn, and Hopson in California target shooting; and other miscellaneous items.

88. A search warrant was executed at 4646 Penkwe Way, Eagan, Minnesota, the address where Dale Evans, Todd Hopson, and Ronald Nunn went on October 21, 1993, to pick up six kilograms of cocaine. The residence belonged to Todd Hopson's sister. Inside this residence officers found 48 grams of crack cocaine.

89. Officers executed a search warrant for 7632 157th Avenue, Apartment 101, Apple Valley, Minnesota. Yulanda Rolack was the occupant of the apartment; however, she provided information that Todd Hopson was the father of her children and had belongings at the apartment because he resided there sometimes. Officers found the following: a 9 millimeter Luger and ammunition; approximately $70,000 in cash in a safe; some Tupperware with traces of cocaine; a pager; and a handwritten note with Dale Evans' California number on it.

90. A search warrant was executed at the residence of Shirley and Gornell Williams at 12208 17th Avenue South, Townhouse C, Burnsville, Minnesota. During the search, officers found: an Olympic Arms Model CAR-AR 223 Cal Rifle; a Ruger Ranch Rifle; two magazines loaded with ammunition; a partial box of

ammunition; and documents and papers belonging to Shirley and Gornell Williams.

91. During a search of Annie Mondy's residence at 2929 30th Avenue South, Minneapolis, Minnesota, officers found: 397.7 grams of cocaine wrapped in tape; a Colt .22 caliber pistol; approximately $21,000 in cash; two scales; two pagers; drug paraphernalia; and other miscellaneous items.

92. Another search warrant was executed at 2023 Portland Avenue South, Apartment 3, Minneapolis, Minnesota, the home of Waymon Ervan. During the execution of that search warrant, officers confiscated: a wrapper with traces of cocaine on it; a pan that was used to cook crack cocaine; a pager; and other miscellaneous items.

93. A search of Tony Speight's residence at 3026 13th Avenue South, Apartment 5, Minneapolis, Minnesota, resulted in officers finding: 59 grams of crack cocaine; a 9 millimeter Glock 19 automatic pistol; a magazine loaded with 9 millimeter Black Talon ammunition; a .38 caliber pistol and five rounds of ammunition; other boxes of ammunition; $747 in cash; pagers; and other miscellaneous items.

94. Officers conducted a search of Sid Strickland's residence at 4267 46th Avenue North, Apartment 217, Robbinsdale, Minnesota. During the search, officers found: a loaded .45 caliber handgun; $13,750 in cash; a cellular telephone; a pager; photographs of Strickland and other co-conspirators; and other miscellaneous items.

95. Officers executed a search warrant at the residence of Sid Strickland's family at 922 Rawlins Circle, Minneapolis. Found in the home were: a Winchester shotgun with two shells in the chamber and the safety switch off; numerous shotgun and rifle shells; two .25 caliber semiautomatic pistol ammunition clips; and $6,310 in cash. Agents recovered drug notes indicating that James Nunn and others owed Sid Strickland money for cocaine.

96. A search warrant was executed at the home of Tony Webster and Sonia Alcaraz at 401 First Street South, Minneapolis. This apartment was rented in Sonia Alcaraz's name. However, Tony Webster gave her the money to pay the rent. Items found at that residence included: 152 grams of cocaine powder; 29.8 grams of marijuana; approximately $40,000 in cash; an electronic scale; pagers; receipts for Federal Express regarding the shipment of money in the crockpot; an electronic telephone book containing the name and telephone numbers for Andre Maddox. During the morning of November 9, 1993, Tony Webster's pager was activated approximately seven times by telephone numbers belonging to Maddox.

97. A search of the residence of Mark Webster at 4609 15th Avenue South, Minneapolis, resulted in officers locating the following: approximately $20,000 in cash; a portable scale with cocaine traces; a cellular telephone; a pager; miscellaneous jewelry; and a photograph of Andre Maddox. In a vehicle at that residence, officers found a traffic violation ticket issued to Gerald Williams on October 28, 1993, and photographs of Gerald Williams and other codefendants. The vehicle was registered to Shirley Williams.

98. Donald Howard resided at 1805 New York Avenue North, Minneapolis. A search warrant was executed at that residence and officers seized the following items: 49 grams of marijuana; 18 grams of cocaine base; $2,000 cash; a box of Winchester 25 auto cartridges; and an electronic scale.

99. A search of Glover Smith's residence at 2316 Emerson Avenue North, Minneapolis, resulted in officers seizing 49 grams of cocaine base, and a photograph of Glover Smith, Gerald Williams, Tony Speight, Dale Evans, and Donald Gardner taken in California.

100. On November 16, 1993, a CI made arrangements to purchase crack cocaine from Johnny Jackson. The CI met Jackson in the parking lot of a grocery store where Jackson sold the CI $180 worth of crack cocaine. Officers then arrested Jackson and found him in possession of the buy money given to the CI to purchase the cocaine.

101. Todd Hopson was arrested on April 4, 1994, at 55 West 96th Street, Apartment 1F, Bloomington, Minnesota. When he was arrested, he identified himself as "Deon Jackson." Officers found the following items during the search of that apartment: a M-11 9 millimeter gun; five 30-round magazines and a flash suppressor; $1,020 in cash; and approximately one-quarter ounce of crack cocaine.

102. Carlos Vignali was arrested on May 6, 1994. Vignali said that he knew Jonathan Gray but had not seen him for about one year. He said that Gray had introduced Vignali to Dale Evans, who was possibly interested in buying Vignali's townhome. Vignali also said that he had never been called "C-low" by anyone.

103. Jonathan Gray was arrested on June 30, 1994, as he attempted to burglarize a truck trailer containing merchandise. Gray told the arresting officers that his name was "Shawn Harris."

<u>Victim Impact</u>

104. None.

Adjustment for Obstruction of Justice

105. The Government advised the defendant committed perjury at trial and should receive an enhancement pursuant to §3C1.1.

Adjustment for Acceptance of Responsibility

106. Upon advice of counsel, the defendant did not provide a statement regarding his involvement in this offense. Because the defendant did not provide a statement, an assessment for a reduction pursuant to 3E1.1, Acceptance of Responsibility, could not be made.

Offense Level Computations	Level
107. The Guideline Manual incorporating guideline amendments effective November 1, 1994, was used to determine the defendant's offense level.	
108. The three counts of conviction in this case are grouped under §3D1.2(b) because they involved the same victim and are connected by a common criminal objective. The guideline for a violation of 21 U.S.C. § 841 is found in §2D1.1. The guideline for a violation of 21 U.S.C. § 843(b) is found in §2D1.6 of the guidelines. The base offense level is the offense level applicable to the underlying drug offense. The guideline for a violation of 18 U.S.C. § 1952(a) is found in §2E1.2 of the guidelines. The base offense level is the offense level applicable to the underlying drug offense. The higher of the three offense levels is used to determine the offense level for the defendant. Therefore, the offense level is found in §2D1.1.	
109. Base Offense Level: The guideline for a violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A) and 846 is found in §2D1.1 of the guidelines. The amount of cocaine attributable to the defendant is at least 15 kilograms but less than 50 kilograms of cocaine. The base offense level is 34.	34
110. Specific Offense Characteristics: None.	0
111. Victim Related Adjustments: None.	0
112. Adjustment for Role in the Offense: Pursuant to §3B1.1(c), if the defendant was an organizer, leader, manager, or supervisor in any criminal activity, increase by two levels. The defendant supplied Gerald Williams and Todd Hopson with multi-kilograms of cocaine in Minnesota. Therefore, a two-level enhancement is given. Although there was some indication the defendant supplied	

cocaine to other individuals, there is insufficient evidence to warrant a four-level enhancement. +2

113. Adjustment for Obstruction of Justice: The Government advised that the defendant committed perjury during trial. Therefore, a two-level enhancement is given. +2

114. Adjustment for Acceptance of Responsibility: None. 0

115. Total Offense Level: The total offense level as computed under Chapters Two and Three of the guidelines is 38. 38

PART B. DEFENDANT'S CRIMINAL HISTORY

Juvenile Adjudications

116. None.

Adult Convictions

	Date of Arrest	Conviction/ Court	Date Sentence Imposed/Disposition	Guideline/ Points
117.	7/29/89 (age 18)	Fight/ Challenge to a Fight in a Public Place, Los Angeles Municipal Court, Los Angeles, CA (Case No. 89M11098)	10/13/89: $183 fine.	§4A1.2(c) 0

The defendant was represented by Edward Mizrahi.

According to the West Covina, California, police reports, police officers were dispatched to Carl Juniors parking lot where four individuals were fighting. Two of the individuals were fighting because one spilled ketchup on the other. The defendant and the other individual were trying to break up the fight.

The fine was paid on October 13, 1989.

118.	8/5/89 (age 18)	Vandalism, Los Angeles Municipal Court, Los Angeles, CA (Case No. 89M10992)	9/29/89: Imposition of sentence suspended; 12 months probation.	§4A1.2(c) 1

The defendant was represented by Edward Mizrahi.

The defendant pled no contest to the above charges on September 29, 1989. He was also ordered to pay restitution and complete 82 hours of community service work.

Records indicated the defendant was spray painting his nickname on the side of a business without the owner's permission. The defendant stated he associated with the 87th Street west side boys in Los Angeles. According to police records, the defendant is an admitted member of the West Covina mob.

Criminal History Computations	Points
119. The total of the criminal history points is one. According to the sentencing table (Chapter 5, Part A), zero to one criminal history points establish a criminal history category of I.	1

Other Criminal Conduct

120. On May 7, 1988, the defendant was referred for Reckless Driving, Los Angeles Juvenile Traffic Court (Case No. F882173). The disposition is unknown as a search of juvenile records revealed no additional information.

121. On July 22, 1990, the defendant was arrested for Inflicting Corporal Injury on Spouse/Cohabitant, Los Angeles Municipal Court (Case No. 90M03903). He was represented by Edward Mizrahi. The case was dismissed on December 17, 1990.

Pending Charges

122. None.

PART C. OFFENDER CHARACTERISTICS

Personal and Family Data

123. Carlos Anibal Vignali, Jr., age 23, was born on [redacted] in Santa Monica, California. He is the youngest of four children born to Luz and Horacio Vignali. The defendant described a normal childhood. He stated the family is close-knit and has always had the benefit of their mother at home. The defendant's father, Horacio Carlos Vignali, age 49, resides at [redacted] Pacific Palisades, California. He is the owner of C and H Auto Body in Los Angeles, California. The defendant's mother, Luz (nee Maldonado) Vignali, age 49, resides with her husband in Pacific Palisades and is a homemaker.

124. [redacted]

125. The defendant's mother was interviewed and described her son as a good-hearted, sweet, and caring person. She advised he cares about others. She believed he is slightly immature and is easily influenced by friends and peers. She stated he maintains an excellent relationship with his father. Her husband is sad and upset over the defendant's current legal situation. She stated they have not led normal lives since this has occurred and his legal situation is both an embarrassment and shock to them.

126. The defendant is presently single and has no children. He has always resided in California.

Physical Condition

127. Carlos Vignali is 5 feet 9 inches tall and weighs 200 pounds. He has brown eyes and black hair. He has the name "Gina" tattooed on the left side of his chest. He has no scars. The defendant stated he is healthy and has no history of health problems; however, his mother advised that, when he was younger, he had severe asthma. She stated he currently suffers from hay fever and allergies.

Mental and Emotional Health

128. The defendant denies any history of mental or emotional health problems. This was confirmed through the defendant's mother.

Substance Abuse

129. The defendant reported occasional use of alcohol, indicating his usage consisted of maybe one drink a year. He denied any drug usage. The defendant's mother recalled her son having several drinks at the age of 14 or 15 to impress his friends. However, she has not seen any alcohol abuse and believed he did not use any drugs.

Education and Vocational Skills

130. The defendant entered the Army/Navy Academy High School in Carlsbad, California, on October 2, 1985. His grades were primarily B's and C's. He left school in June 1988 after completing the tenth grade. He stated he quit school because

he wanted to go to work. His mother confirmed that he wanted to quit school to work for his father.

Military Service

131. None.

Employment

132. The defendant advised he is currently an executive producer of a musical group called "Brownside." They have been working on a record for the last two years which will be distributed by Ruthless Records.

133. The defendant also advised he has been working for his father at C and H Auto Body, 1360 South Figueroa, Los Angeles, California. He stated he is a quality controller and earns $2,600 per month.

134. The defendant also recalled working for one month during the summer at a shoe store in Santa Monica, California.

135. The Social Security Administration confirmed employment in 1985, 1988, 1989, 1990, 1991, and 1992 with C and H Auto Body, Incorporated, in Los Angeles, California. They also confirmed the defendant's employment in 1989 with Athletics Foot Stores, Kennesaw, Georgia, with an income of $471.76.

Financial Condition: Ability to Pay

136. The following information was obtained by interviewing the defendant and examining financial records.

137. The defendant listed his only asset as a 1987 Chevrolet Monte Carlo worth $5,000. He reported no debts; however, the CSC Credit Services, Incorporated, reported a secured debt in November 1994 [redacted]

138. Based on the above, it appears the defendant could possibly pay a minimal fine below the guideline range.

Income Tax Information

139. The Internal Revenue Service provided the following regarding the defendant's federal income tax returns.

Year	Adjusted Gross Income
1989	$ 8,586
1990	$21,218
1991	$23,909
1992	$13,909
1993	Not filed

PART D. SENTENCING OPTIONS

Custody

140. **Statutory Provisions:** On Count 1, the minimum term of imprisonment is ten years and the maximum is life. 21 U.S.C. § 841(b)(1)(A). On Count 16, the maximum term of imprisonment is five years. 18 U.S.C. §§ 2 and 1952(a). On Count 34, the maximum term of imprisonment is four years. 21 U.S.C. § 843(b) and 18 U.S.C. § 2.

141. **Guideline Provisions:** Based on a total offense level of 38 and a criminal history category of I, the guideline range for imprisonment is 235 to 293 months.

Impact of the Plea Agreement

142. There was a trial by jury in this case and, therefore, no plea agreement.

Supervised Release

143. **Statutory Provisions:** On Count 1, a term of at least five years supervised release is required. 21 U.S.C. § 841(b)(1)(A). On Count 16, a term of supervised release of not more than three years may be imposed. 18 U.S.C. § 3583(b)(2). On Count 34, the guideline range for a term of supervised release is one year. §5D1.2(b)(3).

144. **Guideline Provisions:** The guideline range for a term of supervised release is at least three years but not more than five years or the minimum required by statute, whichever is greater. §5D1.2(a).

Probation

145. **Statutory Provisions:** The defendant is not eligible for probation because the instant offense is a Class A felony. 18 U.S.C. § 3561(a)(1).

146. **Guideline Provisions:** Because the minimum of the guideline range is greater than six months, the defendant is not eligible for probation. §5B1.1(a)(2).

Fines

147. **Statutory Provisions:** On Count 1, the maximum fine is $4,000,000. 21 U.S.C. § 841(b)(1)(A). On Counts 16 and 34, the maximum fine is $250,000 per count. 18 U.S.C. § 3571(b)(3).

148. **Guideline Provisions:** The fine range for the instant offense is from $25,000 to $4,000,000. §§5E1.2(c)(3) and 5E1.2(c)(4).