



## Nevin Shapiro is Apparently Not Returning to Miami

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 4:57 PM August 29, 2011

The Associated Press (AP) on August 29, 2011 released the following:

“Attorney: Shapiro not coming to South Florida

By TIM REYNOLDS

CORAL GABLES, Fla. (AP) — Nevin Shapiro is apparently not returning to Miami anytime soon.

Maria Elena Perez, the attorney for the former Miami booster and convicted Ponzi scheme architect whose claims of rampant rule breaking sparked an investigation into the Hurricanes’ football program, said in an email to The Associated Press that her client will not be transferred to a South Florida prison after all.

“Mr. Shapiro is no longer coming to Miami and we are now awaiting his re-designation, which could take some time,” Perez wrote.

A call placed to the Federal Bureau of Prisons late Monday afternoon was not immediately returned. The 42-year-old Shapiro, a longtime resident of the Miami area, has been held for the past couple weeks at a facility in Tallahassee, Fla.

He was expecting a transfer to a prison in the Miami area to serve the bulk of his 20-year prison sentence for bilking investors out of what federal prosecutors say was \$930 million. Of that, Shapiro has been

ordered to repay nearly \$83 million, and he plans to raise at least some of that money by writing a tell-all book about his experiences with the Hurricanes.

Shapiro began making allegations about the Miami program around a year ago, and his claims became widely known earlier this month after Yahoo Sports published what he described as a “tsunami” of violations that could adversely affect the Hurricanes for years to come. He claimed to have provided 72 football players – 65 of whom suited up for the Hurricanes – with cars, money, gifts and even prostitutes between 2002 and 2010.

Shapiro’s claims also implicate 10 Miami football and basketball coaches, none of whom are still employed by the university.

On Monday, Miami President Donna Shalala reaffirmed the school’s commitment to the investigation into Shapiro’s claims and compliance practices at the university, saying that “you don’t time that process with a stopwatch.”

The NCAA is expected to rule early this week, possibly Tuesday, on the status of Miami football players already declared ineligible by the university. The NCAA has been asked to reinstate those players, though it’s certainly possible that the college sports governing body will, at the very least, decree that some players have to miss games because of their interactions with Shapiro.

“This guy is not going to deter the University of Miami from moving forward, and nor our football program,” coach Al Golden said Monday in his weekly appearance on WQAM radio.

Miami opens its season at Maryland on Sept. 5. The NCAA decisions will play a major role in deciding which Hurricanes actually take the field for that game.

Perez said Shapiro is being held at a special housing unit in Tallahassee, in solitary confinement, in part because of the media attention his case and story have generated in recent weeks. Prison officials, Perez said, are erring on a cautious side given Shapiro’s high profile right now.

“It may create a safety concern for him if he is placed in general population,” Perez wrote.”

To find additional federal criminal news, please read [Federal Crimes Watch Daily](#).

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## Melissa L. Sims, Former FBI Technican, Sentenced in Hammond Federal Court

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 10:06 PM August 29, 2011

Main Justice on August 29, 2011 released the following:

“Former FBI Technican Sentenced; She Stole Almost \$80,000

A former employee at an Indiana FBI office will spend 15 months in prison after pleading guilty for lying about stealing nearly \$80,000.

Melissa L. Sims worked as an evidence control technician in the Merrillville office

from 1996 through September 2008. According to her plea agreement, Sims admitted to stealing or embezzling evidence she was supposed to have disposed of properly. She admitted that at least 10 times she signed documents saying that cash ranging from \$2 to \$2,790 had been returned, when she actually had kept it.

She also admitted that she had tampered with a witness in the case.

As part of the plea, she was ordered to repay \$77,882 in restitution.”

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# Minnetta Walker an Ex-TSA Officer Admits to Aiding Drug Suspects Through the Buffalo Niagara International Airport

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 8:40 AM August 29, 2011

The Buffalo News on August 26, 2011 released the following:

“By Dan Herbeck

Says she helped them get through security

A former federal security officer admitted Friday that she helped members of a local drug gang smuggle cash through the Buffalo Niagara International Airport.

Minnetta Walker, who was arrested in March after an 11-month investigation, admitted that she helped an alleged member of the drug ring use a fake name for traveling and helped him bypass security scanners at the airport.

The 43-year-old Buffalo woman also admitted that she once warned two of the man’s alleged drug associates that federal agents were tailing them in the airport.

The case raises disturbing questions:

- Did Walker, an employee of the U.S. Transportation Security Administration, act alone?
- Is her case an indication of serious security problems at the airport?
- If Buffalo drug dealers can evade airport security to smuggle cash, could terrorists use the same methods to smuggle dangerous weapons or substances?

Federal officials said they could not provide specific answers to those questions Friday afternoon, but no other officials of the TSA or the airport are charged in the case, according to U.S. Attorney William J. Hochul Jr.

Hochul said he hopes the case will cause the TSA to take a close look at security at airports in Buffalo and other cities, to determine whether improvements need to be made.

“It is certainly of concern to the Department of Justice,” said Hochul, the region’s chief federal prosecutor. “I would certainly recommend that there be an ongoing review ... There definitely needs to be a learning experience [for] all of us.”

The tactics Walker used are being closely examined to make sure others cannot repeat them, said George W. Gast, who oversees airport security as chief of the Niagara Frontier Transportation Authority Police.

Walker was arrested after an investigation by Buffalo agents of the FBI, NFTA

Police, the Drug Enforcement Administration and U.S. Immigration & Customs Enforcement.

In a related case Thursday, a former employee of the Buffalo city clerk’s office pleaded guilty to a felony, admitting that she made up a false birth certificate that an alleged drug dealer, Derek Frank, used for interstate travel.

Regina McCullen, 53, a former customer assistant who was fired by the city in May, pleaded guilty to an identity fraud conspiracy charge.

The Buffalo News learned that at least one other person — an individual who is close to McCullen and works for an airline — is also expected to be charged criminally in the case.

Walker has not been charged with receiving payoffs or gratuities of any kind from the drug traffickers she helped, Hochul said. The prosecutor said he really doesn’t know at this point why Walker did it.

When District Judge Richard J. Arcara asked Walker why she helped the drug dealers, she had little information for him. “I don’t know ... I wasn’t thinking,” she said.

But her court-appointed attorney, James DeMatteo, said Walker told him she did have a reason, and it wasn’t money. “She told me that Derek Frank is a close friend of her family, and that she did this for one reason — to help a friend,” DeMatteo said. “I know the government doesn’t believe her, but I don’t know of one piece of evidence they have that she got money from any of these guys. She certainly hasn’t been out buying expensive cars or jewelry.”

Walker is sorry for her actions, and after taking her plea, she “burst into tears” in a courthouse elevator and “was almost out of control,” DeMatteo said.

“She’s made a huge mistake. She’s lost an excellent job with a decent paycheck and excellent benefits,” DeMatteo said.

Before the TSA fired her after her arrest, Walker told a judge she made about \$40,000 annually as a behavioral detection officer at the airport.

Her job was to walk around the airport, looking for suspicious individuals who might be planning some criminal activity. Instead, she admitted she spent at least some of her working hours accompanying drug suspects as they walked through security checkpoints without undergoing

close examination of themselves or their carry-on luggage.

Because Walker was close by Frank’s side, other TSA workers let him slide through the checkpoints with a minimum of scrutiny, authorities said.

According to a TSA spokeswoman, Lisa Farbstein, it would be unfair for Walker’s actions to reflect on more than 47,000 TSA workers who work to ensure the safety of travelers.

TSA worked closely with federal prosecutors and agents on the probe, Farbstein said.

“The agency aggressively investigates all allegations of misconduct,” Farbstein said. She said the agency has a “zero tolerance” approach to illegal actions such as Walker’s.

While Walker is believed to be the first TSA worker to be criminally charged in Buffalo, the agency has had scandals in other cities.

In February, two TSA officers at Kennedy International Airport were charged with stealing \$39,000 from a piece of luggage. A TSA supervisor in Newark, N.J., was charged last year with stealing thousands of dollars from foreign passengers, mostly people who could not speak English.

After an internal investigation in June, the TSA announced that it would seek the termination of 30 workers at the Honolulu International Airport in Hawaii. The probe focused on the improper screening of passenger baggage.

Speaking about the Buffalo probe on Friday, Hochul commended the work of the lead prosecutor on the case, Mary Catherine Baumgarten.

Under advisory sentencing guidelines, Walker faces a federal prison term in the probable range of 18 to 24 months. She pleaded guilty to conspiring to defraud the federal government.”

To find additional federal criminal news, please read [Federal Crimes Watch Daily](#).

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# Austin Galvan Indicted by a Omaha Federal Grand Jury Charging Him in a Two-Count Federal Indictment of Wire Fraud and Obstruction of Justice

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 9:50 PM August 29, 2011

The U.S. Department of Justice (DOJ) on August 29, 2011 released the following: "Nebraska Man Arrested on Wire Fraud and Obstruction of Justice Charges

WASHINGTON – An Omaha, Neb., man was charged in an indictment unsealed today for allegedly trying to solicit corrupt payments from an individual in return for a promised reduction in the individual's ultimate prison sentence, announced Assistant Attorney General Lanny A. Breuer of the Justice Department's Criminal Division.

Austin Galvan, 29, was charged in a two-count indictment unsealed today in the District of Nebraska with one count of wire fraud and one count of obstruction of justice. He was arrested on Aug. 26, 2011, by FBI agents and made his initial appearance today before U.S. Magistrate Judge Thomas Thalken in federal court in Omaha.

According to the indictment, Galvan told an associate who was facing federal criminal charges in the District of Nebraska that he, Galvan, had a law enforcement contact in Nebraska who could secure a substantial reduction in his

associate's prison sentence in exchange for corrupt payments. Galvan, in fact, had no such contact.

According to the indictment, in conversations with his associate in May and June 2010, Galvan urged him not to cooperate with federal authorities. Galvan allegedly assured his associate that his contact was in a position to help secure a reduction in the associate's prison sentence, provided that corrupt payments were made. Galvan also gave his associate what he claimed were official documents given to him by his purported law enforcement contact. According to the indictment, Galvan provided his associate with an audio recording of a court hearing that he claimed his purported law enforcement contact had given him. In fact, Galvan had downloaded the recording from the Public Access to Court Electronic Records system, or PACER. The indictment also alleges that Galvan provided his associate with what he claimed was the business card of a federal judge who would assist in securing the sentence reduction, when in fact no federal judge was involved.

Galvan's associate was sentenced in March 2011 to 10 years in prison after pleading guilty to conspiracy to distribute

methamphetamine and to being a felon in possession of a firearm.

An indictment is merely an allegation, and a defendant is presumed innocent unless proven guilty beyond a reasonable doubt in a court of law.

If convicted, Galvan faces up to 20 years in prison on the wire fraud charge and up to 10 years in prison on the obstruction charge. He also faces maximum fines of \$250,000 for each count.

The case is being prosecuted by Trial Attorneys Kevin Driscoll, Barak Cohen and Brian Lichter of the Criminal Division's Public Integrity Section. The case is being investigated by the FBI."

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# Robert C. Sasser Pled Guilty in Columbia Federal Court to Wire Fraud in Violation of 18 U.S.C. 1343

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 3:34 PM August 29, 2011

The Federal Bureau of Investigation (FBI) on August 29, 2011 released the following:

"West Columbia Man Pleads Guilty to Mortgage Fraud

COLUMBIA, SC— United States Attorney Bill Nettles stated today that Robert C. Sasser, age 31, of West Columbia, pled guilty in federal court in Columbia, to Wire Fraud, a violation of Title 18, United States Code, Section 1343. United States District Judge Margaret B. Seymour accepted the plea and will impose a sentence in approximately ninety days.

Evidence presented at the change of plea hearing established that Sasser was a realtor and mortgage broker. He was

involved in eight real estate transactions financed by Wachovia for approximately \$2.5 million. The loans were collateralized by homes that were significantly overvalued.

The loan documents contained multiple misrepresentations, including (1) grossly overstated or fabricated income and asset information, (2) forged signatures, (3) down payments paid by Sasser rather than by the purchaser, and (4) loan payments paid on behalf of, instead of by, the actual purchasers. Significantly, this caused loans to be approved in the names of individuals who could not afford them, which caused them all to go into foreclosure.

The amount of loss suffered by the lender in this case is approximately \$1,689,053.97.

Mr. Nettles stated the maximum penalty

Sasser can receive is a fine of \$250,000 and/or imprisonment for 20 years, plus a special assessment of \$100.

The case was investigated by agents of the Federal Bureau of Investigation. Assistant United States Attorney Winston D. Holliday, Jr., of the Columbia office handled the case."

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# Michael Holm Sentenced by Chief United States District Judge Alvin W. Thompson in Hartford For Possessing Child Pornography

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 9:51 AM August 29, 2011

The Federal Bureau of Investigation (FBI) on August 26, 2011 released the following:

“Branford Resident Sentenced to Federal Prison Term for Possessing Child Pornography

David B. Fein, United States Attorney for the District of Connecticut, announced that MICHAEL HOLM, 32, of Oak Street, Branford, was sentenced today by Chief United States District Judge Alvin W. Thompson in Hartford to three months of imprisonment, followed by three months of home confinement and five years of supervised release, for possessing child pornography.

According to court documents and statements made in court, on May 29, 2008, agents assigned to the Connecticut Computer Crimes Task Force conducted a court-authorized search at HOLM’s residence and seized a computer. Subsequent forensic analysis of the computer revealed between 150 and 300 images of child pornography.

On December 9, 2010, HOLM pleaded guilty to one count of possession of child pornography.

Following his release from prison, HOLM will be required to register as a sex offender. As special conditions of his five-year-term of supervised release, the United States Probation Office is authorized to monitor HOLM’s computer use and conduct random searches of his residence, automobile and workplace. Also, HOLM must not have any unsupervised contact with children who are under the age of 18, other than his own children, without the express permission of the U.S. Probation Office and his mental health treatment provider.

This case was investigated by the United States Secret Service and the Connecticut Computer Crimes Task Force, which includes federal, state and local law enforcement agencies. The case was prosecuted by Assistant United States Attorney Ray Miller and Special Assistant United States Attorney Neeraj Patel.

The Connecticut Computer Crimes Task Force, which is housed at the main FBI office in New Haven, investigates crimes

occurring over the Internet, including on-line crimes against children, and provides computer forensic review services for participating agencies. For more information about the Task Force, or to report child exploitation crimes, please contact the FBI at 203-777-6311.

This prosecution is part of the U.S. Department of Justice’s Project Safe Childhood Initiative, and the District of Connecticut’s “Operation Constant Vigilance,” which are aimed at protecting children from sexual abuse and exploitation.”

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# David Michael McElmurry Convicted by a San Diego Federal Jury of Distribution of Child Pornography and Possession of Child Pornography

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 9:18 AM August 29, 2011

The Federal Bureau of Investigation (FBI) on August 26, 2011 released the following:

“United States Attorney Laura E. Duffy announced that David Michael McElmurry was convicted today after a three-day jury trial before United States District Court Judge John A. Houston. A federal jury returned verdicts convicting McElmurry of one count of distribution of child pornography and one count of possession of child pornography. McElmurry faces a fifteen-year mandatory -minimum sentence.

According to evidence presented at trial, McElmurry used the screen name “Teentrade” on a file-sharing program where he had over 41,000 files of child pornography available for sharing. Among his collection were children as young as

infants involved in sexual conduct with adults and other children. The jury also heard testimony about his previous law enforcement contact from 2006, when he stated he was addicted to child pornography, had been viewing it since he was 15 years old, used encryption and traded files online.

The Court scheduled a sentencing hearing on November 28, 2011, at 8:30 a.m.

Case Number: 10CR5096-H  
DEFENDANT

David Michael McElmurry  
SUMMARY OF CHARGES

Title 18, United States Code, Section 2252(a)(4)(B) (Possession of Images of Minors engaged in Sexually Explicit Conduct)

Title 18, United States Code, Section 2252(a)(2) (Distribution of Images of Minors Engaged in Sexually Explicit Conduct)

Minimum penalty: 15 years’

imprisonment.

Maximum penalties: 40 years’ imprisonment.

Supervised Release: 5 years – Life.

Mandatory Registration under the Sex Offender Registration and Notification Act

AGENCY

Federal Bureau of Investigation”

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## FBI Obtains Arrest Warrant for Former Washington Wizards Guard Javaris Crittenton For Unlawful Flight to Avoid Prosecution

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 9:28 PM August 29, 2011

The Los Angeles Times on August 29, 2011 released the following:

“The FBI’s Atlanta office on Monday obtained an arrest warrant for former Washington Wizards guard Javaris Crittenton, who is wanted in connection with an Aug. 19 shooting that left an Atlanta woman dead.

Atlanta police had obtained a murder warrant for Crittenton following the shooting of Julian Jones, but have been unable to track down the former Georgia Tech basketball star. The FBI warrant is for unlawful flight to avoid prosecution.

Authorities say Jones was walking with a group that included, according to police, the man Crittenton believed had robbed him of jewelry in April. Crittenton allegedly took shots in the man’s direction, but instead struck 22-year-old Julian Jones, a mother of four, in the leg with a bullet he fired from inside his black SUV.

“It appears Mr. Crittenton observed who he thought was the perpetrator walking down the street,” Major Keith Meadows told the Atlanta Journal Constitution. “It so happens Miss Jones was walking down

## Bruce Massey Charged in an Information with Allegedly Mailing an Envelope Containing a White Powdery Substance Intending to Mislead That it was a Biological Agent or Toxin

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 12:47 PM August 29, 2011

The Federal Bureau of Investigation (FBI) on August 26, 2011 released the following:

“Wellington Man Charged with Mailing White Powdery Substance

Steven M. Dettelbach, United States Attorney for the Northern District of Ohio, today announced that a one-count information was filed charging Bruce Massey, age 59, of Wellington, Ohio, with false information and hoaxes.

The information alleges that on or about December 27, 2010, Massey mailed an envelope containing a white powdery substance to the offices of Allied Marketing Group in Dallas, Texas, and intended to mislead and give the impression that the white powdery substance was a biological agent or toxin.

If convicted, the defendant’s sentence will be determined by the Court after review of factors unique to this case, including the defendant’s prior criminal record, if any, the defendant’s role in the

the street at the same time.”

Jones died later in surgery, meaning Crittenton will likely face homicide charges.

Crittenton was a starting point guard at Georgia Tech during his only season and the first-round draft pick of the Los Angeles Lakers in 2007. He played for Memphis, Washington and Charlotte during a short run in the NBA.

In 2010, NBA Commissioner David Stern suspended Crittenton and Gilbert Arenas for the remainder of the season after the two drew guns on each other during an argument regarding a gambling debt. Arenas’ career picked back up with the Orlando Magic, but Crittenton has failed to latch on with a team.”

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offense and the characteristics of the violation. In all cases, the sentence will not exceed the statutory maximum and in most cases it will be less than the maximum.

The case is being prosecuted by Assistant U.S. Attorney Matthew B. Kall, following investigation by the Federal Bureau of Investigation.

An information is only a charge and is not evidence of guilt. A defendant is entitled to a fair trial in which it will be the government’s burden to prove guilt beyond a reasonable doubt.”

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## James Aley White Arrested by the FBI for Allegedly Committing Bank Robbery in Albuquerque Will Appear in Houston Federal Court for his Initial Appearance

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 7:49 AM August 29, 2011

Houston Chronicle on August 28, 2011 released the following:

“FBI: Suspect arrested in Albuquerque bank robbery

ALBUQUERQUE, N.M. (AP) — Authorities say they’ve arrested a man suspected in an Albuquerque bank robbery last week.

The FBI says 29-year-old James Aley White, of Albuquerque, is expected to have an initial appearance Monday in U.S. District Court.

FBI special agents and officers with the Albuquerque Police Department’s Repeat Offender Project unit arrested White at an Albuquerque motel on Friday.

Authorities say a Bank of America branch inside a Smith’s grocery store was robbed Aug. 19.

A man entered the store at about 6:15 p.m. and handed the teller a note demanding money. The note implied the robber had a gun, but no weapon was seen.

Authorities say the suspect left with an undisclosed amount of money.

The FBI announced White’s arrest Sunday but didn’t immediately say what led them to suspect him.”

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## Justice Department Releases Findings of Unconstituional Conditions at Miami-Dade Jail Facilities

(USDOJ: Justice News)

Submitted at 3:36 PM August 29, 2011

Following a comprehensive investigation, the Justice Department has announced its findings that the Miami-Dade County Corrections and Rehabilitation Department (MDCR) has engaged in a pattern or practice of constitutional violations in the jail facilities operated by MDCR.



## Justice Department Obtains \$70,000 Settlement in Housing Discrimination Lawsuit Against New Orleans Landlords

(USDOJ: Justice News)

Submitted at 6:34 PM August 29, 2011

New Orleans landlords Betty Bouchon, the Bouchon Limited Family Partnership and Sapphire Corp., have agreed to pay \$70,000 in damages and civil penalties to settle a lawsuit alleging they unlawfully denied housing to African-American prospective renters at a 16-unit apartment building located in New Orleans.

## Justice Department Requires Divestiture in Order for General Electric Company to Proceed with its Acquisition of Converteam Group SAS

(USDOJ: Justice News)

Submitted at 1:38 PM August 29, 2011

The Department of Justice announced today that it has reached a settlement that will require General Electric Company (GE) to divest Converteam Group SAS's Electric Machinery Holding Company in order to proceed with its acquisition of Converteam.

## Nebraska Man Arrested on Wire Fraud and Obstruction of Justice Charges

(USDOJ: Justice News)

Submitted at 6:37 PM August 29, 2011

An Omaha, Neb., man was charged in an indictment unsealed today for allegedly trying to solicit corrupt payments from an individual in return for a promised reduction in the individual's ultimate prison sentence.

## U.S. v. Homy Hong-Ming Hsu

(Antitrust Division: Upcoming Public Hearings)

Submitted at 2:10 PM August 29, 2011

Motion hearing is scheduled for February 7, 2012 at 2:30 p.m. Pacific

Pre-trial conference is scheduled for February 12, 2012 at 2:30 p.m. Pacific

Trial is scheduled for March 5, 2012 at 9:00 a.m. Pacific

## Special Master Sheila L. Birnbaum Announces Final Rule to Govern 9/11 Victim Compensation Fund

(USDOJ: Justice News)

Submitted at 3:13 PM August 29, 2011

With the 10-year anniversary of Sept. 11, 2001, approaching, September 11th Victim Compensation Fund Special Master Sheila L. Birnbaum today announced the final rule governing the fund.

## Justice Department Settles Lawsuit with the Puerto Rico Department of Justice Regarding Employment Rights Under the ADA

(USDOJ: Justice News)

Submitted at 11:51 AM August 29, 2011

The Justice Department today settled a lawsuit with the Puerto Rico Department of Justice to protect the rights of employees with disabilities under the Americans with Disabilities Act.

## Ohio Homebuilder Sentenced to 22 Years in Prison for Tax Fraud, Bank Fraud, Money Laundering and Obstruction of Justice Schemes

(USDOJ: Justice News)

Submitted at 2:46 PM August 29, 2011

Thomas E. Parenteau of Hilliard, Ohio, was sentenced today to 22 years in prison for conspiring with his wife, his mistress and their accountant, to commit tax fraud and money laundering.