



## Clemens's Lawyer Tries New Approach

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

Submitted at 8:04 AM April 25, 2012

The New York Times on April 24, 2012 released the following:

“By JULIET MACUR

WASHINGTON — Standing in front of the jury box, Rusty Hardin, Roger Clemens's lawyer, spoke in a near whisper as he ended his opening argument Tuesday, begging jurors to realize that the government's perjury case against Clemens is “tragically wrong.”

Hardin said: “God help me if we have reached a stage in this country where we make a federal case of denying you committed a crime. What guy, the evidence will scream out, would go to Congress and lie under oath, knowing what the consequences would be if he hadn't done it? What man, except a crazy man, does that?”

Compared with his opening statement at last year's mistrial, which was caused when prosecutors showed inadmissible evidence, Hardin spoke softer and in a markedly kinder tone. But the gist of his argument was similar.

Hardin called the case “a tale of two men” that pitted Clemens against Brian McNamee, Clemens's former trainer, who says that he gave Clemens steroids and human growth hormone.

Unlike at the last trial, Hardin — known for a folksy style that helps him connect with jurors — did not call McNamee a liar or a dope dealer. This time, he let the government play the tough guy.

Clemens, the government argued on Monday, is so deceitful and dishonest that he created a “tangled web of lies” and told “other lies to cover up his lies” regarding his use of performance-enhancing drugs.

It was unclear whether Hardin's new tone was his idea, or whether the prosecution had forced his hand in trying a different approach. The government had objected to

many parts of the opening statement Hardin gave last year. Prosecutors also had complained that Hardin disclosed personal information to potential jurors during the questioning process, including that he used to live in Washington, where he said he and his wife saw Roberta Flack sing.

“He's very good at what he does,” Courtney Saleski, an assistant United States attorney, said to the judge before the trial. “But we think it's inappropriate.”

On Tuesday, Hardin took on a new set of jurors in his thick southern drawl. He elicited some smiles from jurors when he clumsily searched through paperwork, saying, “I'm not acting like Columbo. I am Columbo,” referring to the long-running detective show. He raised his voice only when he showed a map of the United States that listed the people the government had spoken to and the places it had gone as it tried to corroborate McNamee's claims.

“I'm not talking about the waste of government resources; that's not my issue,” he said before describing how the government interviewed 187 witnesses, wrote 268 interview reports and involved 79 interview locations and 103 federal law enforcement officers.

Hardin suggested it would have been easy to manipulate some of the government's evidence to favor the prosecution. He called syringes and cotton balls that the government said had traces of steroids and Clemens's DNA “the most mixed-up hodgepodge of garbage you could ever imagine.” He continued, “It is ludicrous to ever try to suggest that this is evidence of anything in a criminal case.”

He saved his harshest words for McNamee, portraying him as someone out to gain celebrity by bringing down Clemens.

But when it came to Andy Pettitte, a star government witness, Hardin turned

friendly. He said the defense welcomed his testimony because it “would be one of the most convincing of all as to why Roger Clemens did not use H.G.H.”

Pettitte is expected to testify that Clemens told him in 1999 that he used human growth hormone, and that Pettitte had used the drug himself.

Only the first witness — Phil Barnett, a former staff director to the chairman of the House Committee on Oversight and Government Reform — took the stand before the court recessed until Monday.

Barnett, who is testifying to the legitimacy of Congress's hearings regarding the use of performance-enhancing drugs in baseball, was on the stand last year when the judge declared the mistrial.

Hardin did not have a chance to cross-examine him then. Next week, he will finally be able to do so.”

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## Federal Court Bars Two Louisiana Women from Preparing Tax Returns

(USDOJ: Justice News)

Submitted at 11:30 AM April 25, 2012

A federal court in New Orleans has permanently barred Cathy and Lashanda Vinnett from preparing federal tax returns for others, the Justice Department

announced today. The civil injunction order, to which the Vinnetts agreed without admitting the government's allegations, was signed by Judge Helen G. Berrigan of the U.S. District Court for the Eastern District of Louisiana.



# Two Taiwanese Nationals Charged in New Jersey with Allegedly Conspiring to Export Sensitive U.S. Military Technology to China

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

Submitted at 1:19 PM April 25, 2012

The Federal Bureau of Investigation (FBI) on April 25, 2012 released the following:  
 “Alleged Conspiracy Uncovered Through Investigations into Large-Scale, International Schemes to Import Counterfeit Goods and Drugs Through Port Newark

NEWARK—Two Taiwanese nationals are charged for allegedly seeking to export sensitive U.S. military technology to China after federal agents investigating counterfeit goods smuggling uncovered plots to smuggle drugs into and sensitive defense articles out of the United States, Paul J. Fishman, U.S. Attorney for the District of New Jersey; and Michael B. Ward, Special Agent in Charge for the FBI Newark Division, announced today. Hui Sheng Shen, aka “Charlie,” 45; and Huan Ling Chang, aka “Alice,” 41, were previously charged in connection with an alleged scheme to import 50 kilograms of crystal methamphetamine, or “meth,” from Taiwan into the United States. Those charges arose as a result of parallel international investigations that also disrupted conspiracies to import hundreds of millions of dollars in counterfeit goods from China.

Federal agents arrested Shen and Chang on February 25, 2012 in New York. The pair was charged in a criminal complaint unsealed March 2, 2012, with one count of conspiracy to import and one count of importation of meth. The amended complaint unsealed today also charges Shen and Chang with conspiracy to violate the Arms Export Control Act.

According to the amended complaint, approximately one kilogram of nearly pure crystal meth was purchased from Shen and Chang as part of an undercover law enforcement operation, which stopped the importation of dozens of additional kilograms of the drug. Based on relationships undercover law enforcement agents built with Shen and Chang, the two defendants allegedly provided a list of sensitive defense articles they sought to buy and planned to return to connections in China. The articles included unmanned aerial vehicles (commonly known as drones), E-2C Hawkeye surveillance airplanes, and stealth technology relating to F-22 fighter planes.

Shen and Chang are scheduled to appear before U.S. Magistrate Judge Cathy L.

Waldor this afternoon in Newark federal court.

“Initial investigations into counterfeit goods importation led federal law enforcement to a meth trafficking operation and an alleged plot to export some of America’s most sensitive weapons and related technology to China,” said U.S. Attorney Fishman. “The charges against Shen and Chang illustrate starkly why we do this work, and what is at stake when the security of our ports is breached for any reason. National security isn’t an a la carte enterprise. The same conduits that bring knockoff sneakers flood our communities with illegal drugs and establish dangerous criminal relationships.”

According to documents filed in this and related cases and the amended criminal complaint unsealed today:

Soon Ah Kow, 72, of Hong Kong, was charged by indictment with drug importation, smuggling, and counterfeit goods trafficking offenses by a Newark federal grand jury on January 6, 2012 and arrested on February 25, 2012 in Manila, the Philippines. Ah Kow was in the business of brokering international transactions of illegal goods. Operating out of Southeast Asia, he met with and introduced his co-conspirators to undercover federal agents (FBI UCs) for the purpose of importing counterfeit goods and narcotics from Asia to the United States.

In late 2010, Ah Kow began discussions with FBI UCs about narcotics importation, meeting in February 2011 with FBI UCs in Manila where he introduced them to his associates, Shen and Chang. In Manila, Ah Kow told the FBI UCs that Shen and Chang represented the interests of Ah Kow’s associates, wealthy narcotics dealers who had been trafficking drugs for more than 25 years. Ah Kow and Shen arranged for the delivery of a sample of crystal meth to the FBI UCs’ hotel lobby, which arrived within hours of a call Ah Kow placed to an associate.

Following negotiations over recorded telephone calls and intercepted e-mails, the FBI UCs arranged payment to cover the price of one kilogram of crystal meth, shipping costs, and a broker’s fee for Ah Kow. In July 2011, the FBI UCs received a bill of lading for the container that included the meth, which arrived at the port on August 9, 2011. The drugs were discovered secreted within the container in the exact location described by Shen

and Chang.

During negotiations for the one kilogram meth deal, Shen and Chang made clear they usually did larger transactions, but agreed to do a smaller transaction to establish trust among the parties. They discussed shipping more than 50 kilograms of meth to the United States.

In September 2011, Shen and Chang asked whether the FBI UCs could obtain and pass along highly sensitive military technology, specifically, a Hawkeye reconnaissance aircraft, which the defendants instructed should be referred to as the “big toy.”

During other recorded conversations, the defendants indicated their clients were interested in a range of American military technology. Shen, Chang, and an FBI UC met in October 2011 in Las Vegas, where they discussed narcotics and the export of the technology. Chang provided the FBI UC with a list of specific military technology items they sought.

At a Las Vegas meeting, FBI UCs asked what purposes Shen and Chang had for any military technology they were seeking to obtain. When an FBI UC stated, “I would prefer not to make money on something that would hurt the United States,” Shen replied, “I think that all items would hurt America.”

During a series of recorded phone conversations and in-person meetings, the defendants told FBI UCs that their associates were connected to the Chinese government, worked for a Chinese intelligence company like the CIA, and would be using government money to make the purchases.

Describing their associates in one call, Chang said, “Their status is a bit special, so in order to travel to U.K. or United States, all developed countries, for them it’s hard for them to...” Shen interrupted, “They are spies. They, they, they are very hard to get a visa. They cannot go to U.S. or U.K.”

Shen and Chang returned to the United States in February 2012 to finalize negotiations for a series of larger drug transactions and to look at and photograph certain military technology that the FBI UCs said they had acquired. Shen and Chang met with FBI UCs in New York to see a small drone, used by the U.S. military, as well as manuals associated with other drones. Shen and Chang had purchased cameras for the explicit

# Vallejo-Based Rappers Arrested as Part of Major Investigation of Alleged Drug Trafficking Throughout the United States

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

Submitted at 10:42 AM April 25, 2012

The Federal Bureau of Investigation (FBI) on April 24, 2012 released the following:  
 “SACRAMENTO, CA—A number of arrests have occurred in a major federal investigation into drug trafficking throughout the country, United States Attorney Benjamin B. Wagner announced. According to court documents, agents arrested a total of 25 individuals in Vallejo, Stockton, Fairfield, Oakland, Los Angeles, New York, and Oklahoma City. Some of those arrested are Vallejo-based rappers and associates of an entertainment label known as Thizz Entertainment. Vallejo Police Chief Robert Nichelini stated, “This is another example of partnership that exists between the Drug Enforcement Administration and the Vallejo Police Department to improve the safety of our community and reduce the level of violence associated with drug dealing. We appreciate the efforts of the U.S. Attorney for the Eastern District of California in coordinating the investigation and prosecuting the persons involved in such a complex and dangerous criminal enterprise.”

During the investigation, agents seized approximately 45,000 MDMA pills, approximately four pounds of crack cocaine, a half-pound of heroin, and \$200,000 in suspected drug proceeds. Agents also forfeited 230 acres of property valued at approximately \$1 million as part of the investigation. As part of last Thursday’s takedown, agents executed three federal search warrants and seized approximately five pounds of marijuana, a loaded firearm, a 2010 Audi A6 with an estimated value of \$60,000, and an Audi S5 with an estimated value of \$50,000. Agents seized \$67,238 in Vallejo and \$6,831 in Sacramento for a total of \$74,069 during the service of the federal search warrants.

According to the criminal complaints, the DEA-led investigation uncovered a network of drug distributors working in the Crest neighborhood of Vallejo, along with individuals transporting large quantities of drugs outside of California to realize a larger profit. A number of the subjects of the investigation performed as rappers under the entertainment label known as Thizz Entertainment. The origins of Thizz Entertainment can be traced back to the notorious Vallejo-based

robbery crews known as the Romper Room Gang. The primary activities of the Romper Room Gang included armed bank robberies, drug trafficking, and murder. The Romper Room Gang was active throughout the late 1980s and 1990s. However, as a result of Vallejo police investigations with the assistance from federal law enforcement, many Romper Room Gang members were convicted of federal crimes and incarcerated for several years in the state and federal prison systems.

Some of the individuals charged in the criminal complaint are alleged to be former members of the Romper Room Gang. According to the complaint, Thizz Entertainment started in 1999 as a record label promoting and producing rap artists from the San Francisco Bay Area, primarily from the Crest neighborhood of their hometown of Vallejo. The name Thizz Entertainment originates from the term “thizz,” which is slang for the drug MDMA (also known as ecstasy). In many songs by artists on the Thizz Entertainment label, the lyrics glorify and promote the use and distribution of MDMA pills.

The complaint alleges that the targets of this investigation engaged in large-scale drug trafficking while also releasing rap albums under the Thizz Entertainment label. During the conspiracy, agents uncovered trafficking of MDMA, cocaine, cocaine base, heroin, Oxycodone, and marijuana, in violation of federal law. The complaint details drug shipments sent from the Vallejo area to Oklahoma City; Jamaica; Queens, New York; Atlanta; and Milwaukee, Wisconsin.

The following individuals were charged with multiple counts of drug trafficking in the two federal criminal complaints:

Michael Lott, performs under the name “Miami the Most”  
 \*Major Norton, performs under the name “Dubee”  
 \*Lawrence Kennedy Nelson  
 Gaylord Franklin, performs under the name “Geezy”  
 Clifford Bullock  
 \*Narco McFarland, Sr.  
 Latroy Cunningham  
 \*Eric Robinson  
 Dante Barbarin  
 \*Eileen Knight  
 Beshiba Cook  
 Bruce Thurmon, performs under the name “Little Bruce”  
 Damian Peterson

Mikel Brown

\*\*Nicholas Ramirez

\*Ung Duong

\*Phat Nguyen

\*Marcus Davis

\*\*Tiffany Brown

Andre Cawthorne

\*Michael Smiley

\*Anthony Young

\*Anthony Payton

\*Arrested and detained in custody except where noted released.

\*\*Arrested and released.

A preliminary hearing has been set for May 4, 2012.

This case is the product of an extensive investigation by the DEA Sacramento District Office, the Vallejo Police Department, the El Dorado County Sheriff’s Department, and the Sacramento FBI Safe Streets Task Force. Assistant United States Attorney Jason Hitt is prosecuting the case.

This case was part of an Organized Crime Drug Enforcement Task Force (OCDETF). The OCDETF program was established in 1982 to conduct comprehensive, multi-level attacks on major drug trafficking and money laundering organizations. The principal mission of the OCDETF program is to identify, disrupt, and dismantle the most serious drug trafficking and money laundering organizations and those primarily responsible for the nation’s drug supply.

When prosecuted in federal court, drug traffickers typically receive much harsher sentences. In addition to the longer sentences imposed, unlike state court prisoners who are released early on parole, there is no early release on parole in the federal system.

The charges are only allegations. Each of the defendants listed is presumed innocent, unless and until proven guilty.”

Douglas McNabb – McNabb Associates, P.C.’s

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# Six Face Federal Wire Fraud Charges in an Alleged Real Estate Flipping Scheme That Cost Victims More Than \$4 Million

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

Submitted at 10:22 AM April 25, 2012

The Federal Bureau of Investigation (FBI) on April 24, 2012 released the following:  
 “SANTA ANA, CA— Federal prosecutors have charged six people—including women from Orange County and Tennessee who were arrested this week—in relation to a multi-million-dollar real estate flipping scheme in which investors were promised titles to homes that could be easily resold but in fact did not have “clean” titles, were uninhabitable, or were simply worthless.

According to an indictment returned by a federal grand jury on April 18, the six defendants participated in a real estate scheme in which they sold victims Real Estate Owned—REO, or bank owned—properties for as much as \$45,000. Even though the defendants had paid less than \$10,000 per property, they told buyers that the properties were valuable and could be resold—or flipped—for a profit within a year.

During a scheme that ran from mid-2009 through mid-2010, victims were promised that the properties came with clean titles, property management services, and guaranteed rentals for the first three months, according to the indictment. Furthermore, the defendants allegedly claimed they had an “exit strategy” in which buyers could choose to sell the properties back to them for \$60,000.

In some cases, victims did not receive the properties because they simply did not exist. In other cases, the properties were condemned or other issues with the titles meant victims were not able to take control of the properties. Of those victims who did receive titles, some found that the titles were encumbered by tax liens, fines, or building code violations. Furthermore,

## VALLEJO-BASED

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the indictment alleges that investor funds were immediately disbursed upon receipt, rather than being held in escrow.

The indictment alleges that there are more than three dozen victims who suffered losses of at least \$4.2 million.

The defendants solicited investors to purchase properties at seminars held in Irvine and Costa Mesa; Orlando, Florida; Dallas, Texas; and in “webinars” conducted on the Internet.

This six defendants named in the indictment are:

Sylvia Melkonian, 48, of Laguna Beach, who was arrested yesterday morning by special agents with the FBI;

Sheridan Snyder, 65, of Turtletown, Tennessee, who was also arrested yesterday by the FBI;

Andrew Wardein, 38, of Irvine, who surrendered to authorities on April 20 and was released on a \$25,000 bond after a judge scheduled a trial in the case for June 12;

Craig Shults, 41, of Huntington Beach, who has agreed to appear for an arraignment in federal court tomorrow afternoon;

Paul LiCausi, 47, of Fort Pierce, Florida, who is expect to appear in court in Santa Ana on April 30; and

Joseph Haymore, 31, of Port St. Lucie, Florida, who is also expected to appear in court in Santa Ana on April 30.

After being arrested yesterday, Melkonian was arraigned in federal court in Santa Ana, where she pleaded not guilty and was released on a \$20,000 bond. Snyder appeared yesterday in United States District Court in Tennessee and was released on a \$30,000 bond with instructions to appear in federal court in Santa Ana on May 14 for an arraignment.

All of the defendants named in the indictment are named in at least five counts of wire fraud. Therefore, if they are

The author of this blog is Douglas C. McNabb. Please feel free to contact him directly at [mcnabb@mcnabbassociates.com](mailto:mcnabb@mcnabbassociates.com) or at one of the offices listed above.

convicted, each defendant would face statutory maximum sentences of at least 100 years in federal prison.

An indictment contains allegations that a defendant has committed a crime. Every defendant is presumed to be innocent until and unless proven guilty in court.

This case was investigated by the Federal Bureau of Investigation and investigators from the California Department of Justice, Office of the Attorney General. The case is being prosecuted by Assistant United States Attorney Greg Staples and Special Assistant United States Attorney Patricia Fusco of the California Attorney General’s Office (619-645-3035).”

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## Hess Corporation to Install \$45 Million in Pollution Controls and Pay \$850,000 Penalty to Resolve Clean Air Act Violations at New Jersey Refinery

(USDOJ: Justice News)

Submitted at 10:33 AM April 25, 2012

Hess Corporation has agreed to pay an \$850,000 civil penalty and spend more than \$45 million in new pollution controls to resolve Clean Air Act violations at its Port Reading, N.J., refinery.

# Federal Mail Fraud Crimes – 18 U.S.C. § 1341

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

Submitted at 11:51 AM April 25, 2012

FEDERAL CRIMINAL STATUTE FOR MAIL FRAUD – 18 U.S.C. § 1341  
Title 18 of the United States Code  
Section 1341 (18 U.S.C. § 1341) (2012)  
states the following:

“Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, or to sell, dispose of, loan, exchange, alter, give away, distribute, supply, or furnish or procure for unlawful use any counterfeit or spurious coin, obligation, security, or other article, or anything represented to be or intimated or held out to be such counterfeit or spurious article, for the purpose of executing such scheme or artifice or attempting so to do, places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Postal Service, or deposits or causes to be deposited any matter or thing whatever to be sent or delivered by any private or commercial interstate carrier, or takes or receives therefrom, any such matter or thing, or knowingly causes to be delivered by mail or such carrier according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, any such matter or thing, shall be fined under this title or imprisoned not more than 20 years, or both. If the violation occurs in relation to, or involving any benefit authorized, transported, transmitted, transferred, disbursed, or paid in connection with, a

presidentially declared major disaster or emergency (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)), or affects a financial institution, such person shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both.”

STATUTE OF LIMITATIONS FOR MAIL FRAUD

18 U.S.C. § 3282(a) states:

“(a) In General.— Except as otherwise expressly provided by law, no person shall be prosecuted, tried, or punished for any offense, not capital, unless the indictment is found or the information is instituted within five years next after such offense shall have been committed.”

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## Federal Prosecutor: Pipe bomb suspect’s threats detailed

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

Submitted at 9:20 AM April 25, 2012

Fox News on April 25, 2012 released the following:

“Associated Press

CHICAGO – Although federal prosecutors laid out their case on the first day of the trial of a former Iowa letter carrier accused of sending letters and dud pipe bombs to investment advisers, the defendant refused to offer a rebuttal.

Assistant U.S. Attorney Patrick Pope contended in a Chicago courtroom Tuesday that John Tomkins methodically gathered information about those he threatened, and shared it to demonstrate

he could find and kill them anytime.

Tomkins, 47, is representing himself, and the judge told the jury the defendant will give an opening argument when prosecutors finish presenting their evidence. Instead, Tomkins sat impassively, jotting down notes as Pope laid out how he allegedly ratcheted up the threats with information he’d collected — including a photograph he’s accused of taking after driving from his Dubuque, Iowa, home to the suburban Chicago house of a secretary for one of the advisers.

“Do you know who lives there?” Pope said Tomkins wrote in a letter that included the photograph. “I do.”

Prosecutors allege Tomkins sent letters from 2005 until 2007 that threatened to kill those who received them, their families and neighbors unless they took action to raise the stock prices of 3COM Corp. and Navarre Corp., in which Tomkins had invested. They allege he mailed the pipe bombs from a suburban Chicago post office in 2007.

Tomkins, who Pope said identified himself in some of the letters as “The Bishop,” allegedly taunted the people who received them.

““Bang, you’re dead,”” Pope quoted from one of the letters that accompanied a pipe



# Texas federal grand jury indicts Sinaloa cartel leaders

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

Submitted at 9:50 AM April 25, 2012

CNN on April 24, 2012 released the following:

“By the CNN Wire Staff (CNN) — A U.S. federal grand jury in Texas has indicted the suspected top leaders of Mexico’s Sinaloa cartel.

Joaquin “El Chapo” Guzman Loera and Ismael “El Mayo” Zambada Garcia face murder and conspiracy charges connected with drug trafficking, money laundering and organized crime.

The indictment, returned April 11 and unsealed Tuesday, also charges 22 other people who prosecutors allege are connected with the cartel.

It is one of several U.S. federal indictments charging Guzman, who is widely known as Mexico’s most wanted fugitive and has made Forbes magazine’s list of the world’s most powerful people. “It’s a reminder we’re right behind him, that he can’t live out in the open. We need to get them apprehended,” Assistant U.S. Attorney Tony Franco said Tuesday.

This month’s indictment in western Texas detailed two acts of violence prosecutors said were committed by members of the cartel, including the 2010 kidnapping of an American citizen and two members of his family during a wedding ceremony in Ciudad Juarez, Mexico, because of their ties with the rival Juarez cartel.

The target was the groom and a resident of Columbus, New Mexico, the U.S.

## FEDERAL

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bomb. “The only reason you’re alive is that I did not attach one wire.”

Prosecutors said the pipe bombs were real and would have detonated had all the wires been attached. Pope said the letters included a threat that the advisers better drive up the stock prices by a deadline he gave them or he would send more bombs, making sure to “connect all the wires,” before ending with the words “Tick, tock” or “Time’s up.”

Tomkins is charged with mailing threatening communications, illegal possession of a destructive device and using a destructive device in connection with a crime of violence.

Pope acknowledged Tomkins left no fingerprints on any of the letters or bombs. At least one letter said the sender had been careful not to leave a fingerprint or any DNA that could link him his plot.

But searches of Tomkins’ home, his

Attorney’s Office for the Western District of Texas said in a statement.

Police found the bodies of the groom, his brother and his uncle three days after the wedding in the bed of a pickup truck, according to the indictment.

The indictment also describes the 2009 kidnapping, killing and mutilation of a Texas resident “to answer for the loss of a 670-pound load of marijuana seized by the Border Patrol,” prosecutors said.

Investigators found the Texas resident’s body in Ciudad Juarez, according to the indictment.

“He had been beaten and strangled and his hands had been severed above the wrists and placed on his chest, to serve as a warning to those who might attempt to steal from the cartel,” the indictment says.

Guzman and Zambada have been indicted on drug trafficking and organized crime charges in a number of U.S. federal courts. U.S. officials have offered a \$5 million reward for information leading to their capture.

Guzman was arrested in 1993 on homicide and drug charges but escaped in 2001, reportedly by bribing prison guards to smuggle him out in a laundry truck. A Mexican federal investigation led to the arrest of more than 70 prison officials.

Forbes magazine has placed him on its list of the world’s most powerful people, reporting his net worth of \$1 billion as of March.

Rumors regularly surge about his whereabouts.

computer and two storage lockers revealed drafts of threatening letters, and bomb-making materials that matched those used in two pipe bombs, Pope said. He also said investigators found financial records showing Tomkins had purchased stock in the two companies he wanted his victims to also invest in so that the stock price would rise. And, he told jurors, investigators found evidence of the photograph of the suburban Chicago house on Tomkins’ computer.

“He tried to delete it but he couldn’t,” Pope told jurors.

Tomkins has been in custody since his arrest in 2007 on his way to Dubuque. The trial is expected to last about two weeks.”

Douglas McNabb – McNabb Associates, P.C.’s  
Federal Criminal Defense Attorneys

Franco declined to comment on whether there was new information regarding Guzman’s location.

He described Guzman as “a man who has unlimited means, more money than most people in Mexico.”

“It affords him the ability to hide,” Franco added.

The Sinaloa Cartel, named after the Mexican state where the gang was formed, is one of the most powerful drug-trafficking groups in the nation.”

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purpose of taking photographs of the defense technology. The pair planned to avoid law enforcement detection by taking photographs, deleting those photographs, and bringing the memory cards back to China, where a contact had the ability to recover deleted items. The defendants took the photos, but FBI agents were there to arrest them before the photos could be deleted.

The conspiracy to violate the Arms Export Control Act charge carries a maximum potential penalty of five years in prison and a \$250,000 fine. The meth importation conspiracy and meth importation charges each carry a mandatory minimum penalty of 10 years in prison and a maximum penalty of life in prison and a \$4 million fine.

U.S. Attorney Fishman praised special agents of the FBI, under the direction of Special Agent in Charge Ward in Newark, for the investigation leading to the export violation conspiracy charge, as well as ICE Homeland Security Investigations, under the direction of Special Agent in Charge Andrew M. McLees, for its work in the parallel investigation. He also thanked Customs and Border Protection, under the direction of Robert E. Perez, Director, New York Field Operations, for

its important role. U.S. Attorney Fishman also credited the U.S. Air Force Office of Investigations; FBI special agents in Manila, Beijing, Hong Kong, and Taiwan; the Philippine authorities; and the Department of Justice's Organized Crime and Gangs Section, National Security Division, Office of Enforcement Operation, and Office of International Affairs for their contributions.

The government is represented by Assistant U.S. Attorney Zach Intrater and Chief Erez Liebermann of the Computer Hacking and Intellectual Property Section of the U.S. Attorney's Office Economic Crimes Unit and Assistant U.S. Attorney Andrew Pak of the Office's General Crimes Unit in Newark.

The charges and allegations contained in the amended complaint charging Shen and Chang and the indictment charging Ah Kow are merely accusations, and the defendants are considered innocent unless and until proven guilty."

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## FBI Arrests NY, Fla. Associates of Convicted Ponzi Schemer Nicholas Cosmo

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

Submitted at 10:31 AM April 25, 2012

ABC News on April 25, 2012 released the following:

“Associated Press

The FBI says it has arrested four associates of a New York man convicted in a \$400 million Ponzi scheme.

FBI spokesman J. Peter Donald says three men and one woman were arrested without incident early Wednesday. Three of them were arrested on Long Island and a fourth was taken into custody in Florida.

The three New York suspects are due in U.S. District Court in Central Islip (EYE'-slihp) later Wednesday.

The four are associates of New York businessman Nicholas Cosmo. He was

nicknamed “mini-Madoff” because he was arrested weeks after the notorious billion-dollar swindler was arrested in 2009.

Cosmo pleaded guilty to mail and wire fraud and is serving 25 years.

Bernard Madoff looted billions from victims that included charities, celebrities and institutions. Cosmo targeted mainly blue-collar workers.”

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[Federal Mail Fraud Crimes](#)

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# Pedro Espada Jr. seals corruption trial with a dis, scanning tomes while prosecutor throws book at him

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

Submitted at 8:37 AM April 25, 2012

New York Daily News on April 24, 2012 released the following:

“Federal prosecutor Todd Kaminsky slams Espada as a brazen crook who treated his tax-supported health clinic as a personal ‘ATM’

BY JOHN MARZULLI

PEDRO ESPADA JR. kicked back and flipped through a couple of books while a federal prosecutor read him the riot act in closing arguments of his embezzlement trial.

As Assistant U.S. Attorney Todd Kaminsky blasted Espada as an arrogant thief who looted his taxpayer-funded Bronx health clinic, the ex-state senator thumbed through a Bible and “Black Robes White Justice,” a book by Bruce Wright, a controversial judge known for freeing felons.

Espada tuned out as the prosecutor ripped him and son Pedro Gautier Espada for stealing hundreds of thousands of dollars from their Soundview Health Network for dinners, vacations and personal gifts. “The defendants used (the clinic) as their

ATM,” Kaminsky told the jury in Brooklyn Federal Court.

The disgraced pol pooh-poohed the rebukes outside court.

“He (Kaminsky) said all the same things in the grand jury,” Espada said. “He’s young and ambitious and he has a long way to go.”

Over the past six weeks, prosecutors presented credit card statements and receipts showing the Espadas billing the clinic for personal expenses.

The bills included a 95-cent biscotti cookie from Starbucks, a lavish Sunday meal of Oysters Rockefeller at a City Island restaurant and a \$20,000 family trip to a resort in Puerto Rico for a health conference.

“Pedro Espada’s attitude was, ‘I own Soundview, I built Soundview, I am Soundview. If I want to take from Soundview, who’s going to stop me?’” Kaminsky said.

The clinic even picked up the tab for thousands of dollars in home improvements for his residence in Mamaroneck, Westchester County.

“It’s astounding Pedro Espada had his whole house remodeled and he didn’t

know how it happened,” Kaminsky said. “He wants you to think, ‘Were we part of an Extreme Home Makeover that we didn’t know about?’”

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