



Jeffery Wayne O'Neil and His Son Nathaniel O'Neil Indicted by a Houston Federal Grand Jury with Mail Fraud and Wire Fraud

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

Submitted at 12:29 PM August 26, 2011

The U.S. Attorney's Office Southern District of Texas on August 25, 2011 released the following:
"Houston Man and Son Indicted For Fraud

HOUSTON – Jeffery Wayne O'Neil, 63, of Houston, has been arrested following the return of an indictment charging him and his son, Nathaniel Chilo aka Nathaniel O'Neil, 21, with mail and wire fraud, United States Attorney José Angel Moreno announced today.

Jeffery O'Neil was arrested last night by United States Secret Service agents without incident. He made his initial appearance before U.S. Magistrate Judge Mary Milloy and was released on a \$50,000 bond. A warrant remains outstanding for the arrest of Nathaniel O'Neil. Anyone who has information regarding his whereabouts is asked to contact the United States Secret Service at 713-868-2299.

The 10-count indictment, returned under seal on Aug. 11, 2011, was unsealed today following the arrest of Jeffrey O'Neil. The father and son, both of Houston, are charged with six counts of mail fraud and four counts of wire fraud. Jeffery O'Neil operated various debt relief businesses in the Houston area under different names, including but not limited to J. O'Neil/Associates Inc., World Outlook, World Outlook Management and Universal Restoration, none of which were licensed by the Texas Office of Consumer Credit Commissioner, according to the indictment.

The indictment alleges a scheme

FBI's Top Ten News Stories for the Week Ending August 26, 2011

fbi (Current)

Submitted at 6:00 AM August 26, 2011

— Washington, D.C.

allegedly perpetrated by the O'Neils between June 2005 and September 2010 which consisted essentially of a plan to obtain money from individuals throughout the United States by representing that in exchange for paying money for entering into various programs they offered, they could provide debt relief in the form of credit card debt, tax liens, mortgage foreclosure, judgments. The O'Neils allegedly used agents in various parts of the United States to solicit, communicate with and receive payments from individuals seeking debt relief and the O'Neils communicated with agents and individuals seeking debt relief by and through e-mails. The defendants allegedly falsely represented and caused others to falsely represent that debt relief would be obtained through the Federal Trade Commission, the Senate Banking Committee, the Office of the Comptroller of the Currency (OCC), through injunctive action, and through a program called the "Debt Reconciliation Program" or "Debt Relief Program," referred to as "DRP." According to the indictment, Jeffery O'Neil falsely represented and caused others to falsely represent that he worked with the Financial Crisis Inquiry Commission.

Additionally, the indictment alleges the scheme further involved the sending of emails to include an altered speech by Ben Bernanke, Chairman of the Board of Governors of the Federal Reserve System, which falsely include statements about a debt reconciliation proposal sponsored by World Outlook Management as well as a fraudulent calendar for the Judiciary Committee of U.S. House of Representatives. Also, the O'Neils

allegedly created Fair Credit Investigation Company, an entity bearing the initials "FCIC," the same as the Financial Crisis Inquiry Commission which was falsely represented as a debt relief program. The O'Neils allegedly caused individuals throughout the United States to send checks payable to the FCIC to an address in Houston, to obtain credit card debt relief. When, in actuality, according to the indictment, the majority of the funds were used for the O'Neils' personal benefit.

The indictment also contains a notice of forfeiture seeking forfeiture of \$617,000, the alleged proceeds from the illegal activity alleged in the indictment.

Each count of mail fraud and wire fraud carries a maximum penalty of 20 years imprisonment and a fine up to \$250,000.

The case was investigated by the United States Secret Service and is being prosecuted by Assistant United States Attorney John Braddock.

An indictment is a formal accusation of criminal conduct, not evidence.

A defendant is presumed innocent unless convicted through due process of law."

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

Douglas McNabb and other members of the U.S. law firm practice and write extensively on matters involving Federal Criminal Defense, INTERPOL Red Notice Removal, International Extradition and OFAC SDN List Removal.

The author of this blog is Douglas McNabb. Please feel free to contact him directly at mcnabb@mcnabbassociates.com or at one of the offices listed above.



U.S. Widens Role in Mexican Fight

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

Submitted at 11:25 AM August 26, 2011

The New York Times on August 26, 2011 released the following in print: "By MARK MAZZETTI and GINGER THOMPSON

WASHINGTON — The Obama administration has expanded its role in Mexico's fight against organized crime by allowing the Mexican police to stage cross-border drug raids from inside the United States, according to senior administration and military officials.

Mexican commandos have discreetly traveled to the United States, assembled at designated areas and dispatched helicopter missions back across the border aimed at suspected drug traffickers. The Drug Enforcement Administration provides logistical support on the American side of the border, officials said, arranging staging areas and sharing intelligence that helps guide Mexico's decisions about targets and tactics.

Officials said these so-called boomerang operations were intended to evade the surveillance — and corrupting influences — of the criminal organizations that closely monitor the movements of security forces inside Mexico. And they said the efforts were meant to provide settings with tight security for American and Mexican law enforcement officers to collaborate in their pursuit of criminals who operate on both sides of the border.

Although the operations remain rare, they are part of a broadening American campaign aimed at blunting the power of Mexican cartels that have built criminal networks spanning the world and have started a wave of violence in Mexico that has left more than 35,000 people dead.

Many aspects of the campaign remain secret, because of legal and political sensitivities. But in recent months, details have begun to emerge, revealing efforts that would have been unthinkable five years ago. Mexico's president, Felipe Calderón, who was elected in 2006, has broken with his country's historic suspicion of the United States and has enlisted Washington's help in defeating the cartels, a central priority for his government.

American Predator and Global Hawk drones now fly deep over Mexico to capture video of drug production facilities and smuggling routes. Manned American aircraft fly over Mexican targets to eavesdrop on cellphone communications. And the D.E.A. has set up an intelligence outpost — staffed by Central Intelligence Agency operatives and retired American military personnel — on a Mexican military base.

"There has always been a willingness and desire on the part of the United States to play more of a role in Mexico's efforts," said Eric L. Olson, an expert on Mexico at the Woodrow Wilson Center. "But there have been some groundbreaking developments on the Mexican side where we're seeing officials who are willing to take some risks, even political risks, by working closely with the United States to carry out very sensitive missions."

Still, the cooperation remains a source of political tensions, especially in Mexico where the political classes have been leery of the United States dating from the Mexican-American War of 1846. Recent disclosures about the expanding United States' role in the country's main national security efforts have set off a storm of angry assertions that Mr. Calderón has put his own political interests ahead of Mexican sovereignty. Mr. Calderón's political party faces an election next year that is viewed in part as a referendum on his decision to roll out this campaign against drug traffickers.

Deputy Secretary of State William J. Burns walked into that storm during a visit to Mexico this month and strongly defended the partnership the two governments had developed. "I'll simply repeat that there are clear limits to our role," Mr. Burns said. "Our role is not to conduct operations. It is not to engage in law enforcement activities. That is the role of the Mexican authorities. And that's the way it should be."

Officials said Mexico and the United States began discussing the possibility of cross-border missions two years ago, when Mexico's crime wave hit the important industrial corridor between Monterrey and Nuevo Laredo. To avoid being detected, the Mexican police traveled to the United States in plain clothes on commercial flights, two military officials said. Later the officers were transported back to Mexico on Mexican aircraft, which dropped the agents at or near their targets.

"The cartels don't expect Mexican police coming from the U.S.," said one senior military official. None of the officials interviewed about the boomerang operations would speak publicly about them, and refused to provide details about where they were conducted or what criminal organizations had been singled out.

They said that the operations had been carried out only a couple of times in the last 18 months, and that they had not resulted in any significant arrests.

The officials insisted that the Pentagon is not involved in the cross-border operations, and that no Americans take

part in drug raids on Mexican territory. "These are not joint operations," said one senior administration official. "They are self-contained Mexican operations where staging areas were provided by the United States."

Former American law enforcement officials who were once posted in Mexico described the boomerang operations as a new take on an old strategy that was briefly used in the late 1990s, when the D.E.A. helped Mexico crack down on the Tijuana Cartel.

To avoid the risks of the cartel being tipped off to police movements by lookouts or police officials themselves, the former officers said, the D.E.A. arranged for specially vetted Mexican police to stage operations out of Camp Pendleton in San Diego. The Mexican officers were not given the names of the targets of their operations until they were securely sequestered on the base. And they were not given the logistical details of the mission until shortly before it was under way.

"They were a kind of rapid-reaction force," said one former senior D.E.A. official. "It was an effective strategy at the time."

Another former D.E.A. official said that the older operations resulted in the arrests of a handful of midlevel cartel leaders. But, he said, it was ended in 2000 when cartel leaders struck back by kidnapping, torturing and killing a counternarcotics official in the Mexican attorney general's office, along with two fellow drug agents.

In recent months, Mexico agreed to post a team of D.E.A. agents, C.I.A. operatives and retired American military officials on a Mexican military base to help conduct intelligence operations, bolstering the work of a similar "fusion cell" already in Mexico City.

Meanwhile the Pentagon is steadily overhauling the parts of the military responsible for the drug fight, paying particular attention to some lessons of nearly a decade of counterterrorism operations in Afghanistan and Iraq. At Northern Command — the military's Colorado Springs headquarters responsible for North American operations — several top officers with years of experience in fighting Al Qaeda and affiliated groups are poring over intelligence about Mexican drug networks.

One officer said, "The military is trying to take what it did in Afghanistan and do the same in Mexico."

That's exactly what some Mexicans are afraid of, said a Mexican political



Mohammed K., a Maryland Teen, Arrested by the FBI in Jihad Jane Plot, Sources Say

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

Submitted at 9:56 AM August 26, 2011

The Philadelphia Inquirer on August 26, 2011 released the following:

“Maryland teen arrested by FBI in Jihad Jane plot, sources say

By John Shiffman
Inquirer Staff Writer

The FBI has secretly arrested a Maryland juvenile who allegedly conspired in a terrorism plot with the Philadelphia-area woman known as Jihad Jane, sources have told The Inquirer.

The boy is 17 but was 15 when he conspired with Colleen LaRose of Pennsburg, Montgomery County, to solicit money and recruits for a jihad, according to documents and sources. His case is sealed in U.S. District Court in Philadelphia.

His family emigrated from Pakistan four years ago, and relatives say the boy – Mohammed K., of Ellicott City, Md. – was headed to Johns Hopkins University on a full scholarship this fall. They also say he was questioned by the FBI, without a parent or lawyer present, at least eight times.

“Now we know that was a mistake,” a relative said. “We had thought everything was taken care of and fine because he talked to the FBI so many times – but the next thing you know, a year later, without any warning, the FBI took Mohammed away. It was a shock to us and to him.”

Family members spoke on condition of anonymity. The Inquirer is not publishing the boy’s last name because he is a juvenile and the specific charges have not been made public.

Federal charges against juveniles are rare. Nationally, only 100 juveniles are serving federal sentences, and federal officials could not cite another juvenile who has been arrested on terror-related charges.

Mohammed’s arrest came six months after LaRose, who called herself “Jihad Jane” on websites, pleaded guilty to conspiracy to provide material support to terrorists, including providing a U.S. passport, and lying to FBI agents about it. A coconspirator, Jamie Paulin-Ramirez of Leadville, Colo., pleaded guilty to providing material aid to terrorists.

U.S. counterterrorism officials have said the Jihad Jane case represents a new and alarming threat – suburban, American-born women aiding Islamic terror groups. Prosecutors said LaRose worked obsessively on her computer “to communicate with, recruit, and incite other jihadists.” In 2009, she agreed to

help try to kill the Swedish artist Lars Vilks, whose 2007 drawing of a dog with the head of the prophet Muhammad offended some Muslims.

Mohammed K.’s relatives said they do not know much about the allegations – or what Mohammed told the FBI – but are confused and angry that they allowed the boy to spend so much time with agents. “When they said, ‘Can we take him out for a few hours?’ it seemed so informal,” one relative said. “And now, in a way, we feel cheated.”

FBI spokesman J.J. Klaver and other federal officials declined to comment.

Mohammed’s court-appointed lawyer, Jeffrey Lindy of Philadelphia, said, “This is a juvenile matter and is confidential, so it would be inappropriate to comment.” Mark Wilson, a federal public defender representing LaRose, also declined to comment.

LaRose traveled to Ireland in September 2009 to meet several coconspirators. She offered to use her U.S. identity and her boyfriend’s passport, and to marry a jihadist to help with the terror plot, officials said. The plot fizzled for reasons that have not been made public.

The FBI believes that Mohammed was part of the conspiracy, and that he met LaRose in a jihadist chatroom, sources said.

The only people publicly charged in the United States are LaRose and Ramirez. The other alleged coconspirators – including Mohammed and the Irish suspects – are cited in the LaRose indictment only by geographic location, numbers, and “CC,” the code for coconspirator. In the public document, sources said Mohammed is “CC#4, a resident of the United States.”

The indictment alleges that in July 2009, when Mohammed was 15, he posted “an online solicitation for funds to support terrorism on behalf of defendant Colleen R. LaRose, a.k.a. Fatima LaRose, a.k.a. Jihad Jane.”

“I write this message on behalf of a respected sister,” Mohammed allegedly wrote. “The sister has been in touch with a brother [who] appealed for urgent funds stating that his resources are limited. The sister has provide me proofs that have confirmed that the brother is . . . true. . . . I know the sister and by Allah all money will be transferred to her. The sister will then transfer the money to the brother. . . .”

The LaRose indictment also alleges that Mohammed forwarded her a questionnaire “in which [he] asked another woman

about her beliefs and intentions with regard to jihad.”

At the end of the questionnaire, prosecutors said, Mohammed wrote: “The reason why I am not providing much information as to why I am asking the above-mentioned information is due to security. . . . Also, if you have any contacts to other sisters (only the ones whom you extremely trust. . .!!!), please forward this message to them.”

Mohammed and LaRose met in a jihadist chat room, sources said.

The FBI arrested Mohammed on July 6, family members said, and he is being held at the Berks County Youth Detention Center, about three hours’ drive from their home, which is near Baltimore.

During several interviews, relatives said family members are all legal residents of the United States, and moved here to get a better education. The parents are the first in the family to be literate; the children will be the first generation to attend college. Mohammed’s father works for a delivery company.

Mohammed and his siblings shined in school, but did not socialize much, relatives said, because their parents insisted that they stick to their studies. They were not permitted sleepovers or even to play with other children in the neighborhood.

“School, education is everything,” a relative said. “If you waste one second on anything else, you are disrespecting your elders.”

A year after they arrived, Mohammed found himself excelling academically, but also, to the concern of other family members, spending hours alone online. He became moody and did not talk much, though he never spoke of violent, religious, or political thoughts – the kind of comments authorities found on his computer.

Mohammed’s outlook changed after the FBI seized the family’s computers last year and began meeting with him. Mohammed seemed to become more social, relatives said. “We hoped he’d come out of his shell more when he went off to college,” a relative said.

Family members remain shocked, they said. They believe Mohammed was lured by an adult and was too young to understand the consequences.

“Some 47-year-old woman was taking advantage of a kid who was just 14 or 15 years old, someone who’s easy to brainwash,” a relative said. “How did this



C.I.A. Demands Cuts in Book About 9/11 and Terror Fight

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

Submitted at 8:27 AM August 26, 2011

The New York Times on August 26, 2011 released the following in print: "WASHINGTON — In what amounts to a fight over who gets to write the history of the Sept. 11 attacks and their aftermath, the Central Intelligence Agency is demanding extensive cuts from the memoir of a former F.B.I. agent who spent years near the center of the battle against Al Qaeda.

The agent, Ali H. Soufan, argues in the book that the C.I.A. missed a chance to derail the 2001 plot by withholding from the F.B.I. information about two future 9/11 hijackers living in San Diego, according to several people who have read the manuscript. And he gives a detailed, firsthand account of the C.I.A.'s move toward brutal treatment in its interrogations, saying the harsh methods used on the agency's first important captive, Abu Zubaydah, were unnecessary and counterproductive.

Neither critique of the C.I.A. is new. In fact, some of the information that the agency argues is classified, according to two people who have seen the correspondence between the F.B.I. and C.I.A., has previously been disclosed in open Congressional hearings, the report of the national commission on 9/11 and even the 2007 memoir of George J. Tenet, the former C.I.A. director.

Mr. Soufan, an Arabic-speaking counterterrorism agent who played a central role in most major terrorism investigations between 1997 and 2005, has told colleagues he believes the cuts are intended not to protect national security but to prevent him from recounting episodes that in his view reflect badly on the C.I.A.

Some of the scores of cuts demanded by the C.I.A. from Mr. Soufan's book, "The Black Banners: The Inside Story of 9/11 and the War Against Al Qaeda," seem hard to explain on security grounds.

Among them, according to the people who have seen the correspondence, is a phrase from Mr. Soufan's 2009 testimony at a Senate hearing, freely available both as video and transcript on the Web. Also chopped are references to the word "station" to describe the C.I.A.'s overseas offices, common parlance for decades.

The agency removed the pronouns "I" and "me" from a chapter in which Mr. Soufan describes his widely reported role in the interrogation of Abu Zubaydah, an important terrorist facilitator and training

camp boss. And agency officials took out references to the fact that a passport photo of one of the 9/11 hijackers who later lived in San Diego, Khalid al-Midhar, had been sent to the C.I.A. in January 2000 — an episode described both in the 9/11 commission report and Mr. Tenet's book.

In a letter sent Aug. 19 to the F.B.I.'s general counsel, Valerie E. Caproni, a lawyer for Mr. Soufan, David N. Kelley, wrote that "credible sources have told Mr. Soufan that the agency has made a decision that this book should not be published because it will prove embarrassing to the agency."

In a statement, Mr. Soufan called the C.I.A.'s redactions to his book "ridiculous" but said he thought he would prevail in getting them restored for a later edition.

He said he believed that counterterrorism officers have an obligation to face squarely "where we made mistakes and let the American people down." He added: "It saddens me that some are refusing to address past mistakes."

A spokeswoman for the C.I.A., Jennifer Youngblood, said, "The suggestion that the Central Intelligence Agency has requested redactions on this publication because it doesn't like the content is ridiculous. The C.I.A.'s pre-publication review process looks solely at the issue of whether information is classified."

She noted that under the law, "Just because something is in the public domain doesn't mean it's been officially released or declassified by the U.S. government."

A spokesman for the F.B.I., Michael P. Kortan, declined to comment.

The book, written with the assistance of Daniel Freedman, a colleague at Mr. Soufan's New York security company, is scheduled to go on sale Sept. 12. Facing a deadline this week, the publisher, W. W. Norton and Company, decided to proceed with a first printing incorporating all the C.I.A.'s cuts.

If Mr. Soufan ultimately prevails in negotiations or a legal fight to get the excised material restored, Norton will print the unredacted version, said Drake McFeely, Norton's president. "The C.I.A.'s redactions seem outrageous to me," Mr. McFeely said. But he noted that they are concentrated in certain chapters and said "the book's argument comes across clearly despite them."

The regular appearance of memoirs by Bush administration officials has continued a debate over the facts surrounding the failure to prevent 9/11 and the tactics against terrorism that

followed. In former Vice President Dick Cheney's memoir, set for publication next week, he writes of the harsh interrogations that "the techniques worked."

A book scheduled for publication next May by José A. Rodriguez Jr., a former senior C.I.A. official, is expected to give a far more laudatory account of the agency's harsh interrogations than that of Mr. Soufan, as is evident from its tentative title: "Hard Measures: How Aggressive C.I.A. Actions After 9/11 Saved American Lives."

Government employees who hold security clearances are required to have their books vetted for classified information before publication. But because decisions on what should be classified can be highly subjective, the prepublication review process often becomes a battle. Several former spies have gone to court to fight redactions to their books, and the Defense Department spent nearly \$50,000 last year to buy and destroy the entire first printing of an intelligence officer's book, which it said contained secrets.

The C.I.A. interrogation program sharply divided the C.I.A. and the F.B.I., whose director, Robert S. Mueller III, ordered agents to stop participating in the program after Mr. Soufan and other agents objected to the use of physical coercion. But some C.I.A. officers, too, opposed the brutal methods, including waterboarding, and it was their complaint to the C.I.A.'s inspector general that eventually led to the suspension of the program.

"The Black Banners" traces the origins and growth of Al Qaeda and describes the role of Mr. Soufan, 40, a Lebanese-American, in the investigations of the East African embassy bombings of 1998, the attack on the American destroyer Cole in 2000, 9/11 and the continuing campaign against terrorism.

Starting in May, F.B.I. officials reviewed Mr. Soufan's 600-page manuscript, asking the author for evidence that dozens of names and facts were not classified. Mr. Soufan and Mr. Freedman agreed to change wording or substitute aliases for some names, and on July 12 the bureau told Mr. Soufan its review was complete. In the meantime, however, the bureau had given the book to the C.I.A. Its reviewers responded this month with 78-page and 103-page faxes listing their cuts."

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

Douglas McNabb and other members of



Christopher Kice Charged by a Criminal Complaint With Allegedly Possessing Child Pornography

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

Submitted at 12:25 PM August 26, 2011

The Federal Bureau of Investigation (FBI) on August 25, 2011 released the following:

“Shorewood Man Arrested for Possession of Child Pornography

A southwest suburban man was arrested earlier this week at his Shorewood residence and was charged with possession of child pornography. The arrest was announced today by Robert D. Grant, Special Agent-in-Charge of the Chicago office of the Federal Bureau of Investigation (FBI).

CHRISTOPHER KICE, age 41, of the 1100 block of Callaway Drive West, was arrested Monday night, without incident, by Special Agents assigned to the Chicago FBI's Innocent Images Task Force (IITF). KICE was charged in a criminal complaint filed earlier this week in U.S. District Court in Chicago with one count of Possession of Child Pornography, which is a felony offense.

According to the complaint, investigators were first alerted to KICE's possible involvement in the collection of child pornography by his employer, an unnamed Chicago area law firm where KICE was employed in the Information Technology Department. When co-workers noticed that numerous large files with suspicious sounding names, such as

“kiddie” and “pre-teen”, had been downloaded on a company computer then transferred to removable storage devices, they notified the IITF.

Initial investigation by IITF personnel developed probable cause to conduct a search of KICE's residence, which took place on March 17th of this year, pursuant to a Federal search warrant. During the search, several computer hard drives and other digital storage devices were seized. A preliminary forensic review of the digital devices recovered during the search discovered numerous images and videos of what appeared to be child pornography.

A subsequent forensic examination conducted by the Chicago Regional Computer Forensic Laboratory (RCFL) discovered alleged pornographic images on one of the computer hard drives of what appeared to be a minor female child. Investigators recognized the background on these images, indicating that they might have been taken inside KICE's residence. This discovery led investigators to arrest KICE that same evening.

KICE appeared before Magistrate Judge Maria Valdez in Chicago on Tuesday, at which time he was formally charged. KICE was ordered held without bond, pending his next court appearance, which is scheduled for tomorrow (Friday) at 2:00 PM before Judge Valdez. Until then, KICE will be held at the Metropolitan

Correctional Center (MCC) in Chicago. If convicted of the charge filed against him, KICE faces a possible sentence of up to ten (10) year's incarceration.

A photograph of KICE accompanies this release. Anyone recognizing him or having any information which might be relevant to this investigation is asked to call the Chicago FBI at (312) 421-6700.

The FBI's Innocent Images initiative was established in 1996 and is part of a nationwide effort to combat the manufacture, distribution and possession of child pornography. At present, there are 43 separate Innocent Images task forces in various FBI offices around the country, which are investigating similar cases.

The public is reminded that a complaint is not evidence of guilt and that all defendants in a criminal case are presumed innocent until proven guilty in a court of law.”

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

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The author of this blog is Douglas McNabb. Please feel free to contact him directly at mcnabb@mcnabbassociates.com or at one of the offices listed above.

Willie D. Butler Indicted by a Cleveland Federal Grand Jury for Allegedly Committing Bank Robbery of Approximately \$1,350

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

Submitted at 12:12 PM August 26, 2011

The Federal Bureau of Investigation (FBI) on August 25, 2011 released the following:

“Cleveland Man Charged with Bank Robbery

Steven M. Dettelbach, United States Attorney for the Northern District of Ohio, today announced that a federal grand jury returned a one-count indictment charging Willie D. Butler, age 25, of Cleveland, Ohio, with the crime of bank robbery.

The indictment alleges that on August 17, 2011, Willie D. Butler robbed the Key Bank, 14006 Kinsman Avenue,

Cleveland, Ohio, of approximately \$1,350 in United States currency.

This case was part of a joint investigation conducted by the Federal Bureau of Investigation and the Cleveland Police Department. The matter was presented to the grand jury by Assistant United States Attorney Duane J. Deskins.

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 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.

An indictment 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.”

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

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Federal Judge to Hear Arguments Over Jared Lee Loughner's Medication

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

Submitted at 8:06 AM August 26, 2011

The Associated Press (AP) on August 26, 2011 released the following:

“SAN DIEGO (AP) — Attorneys for the Tucson shooting rampage suspect are making another attempt to stop the forced medication of their client at the Missouri prison facility where mental health experts are trying to make him psychologically fit to stand trial.

A federal judge will hear arguments Friday over a request by Jared Lee Loughner's defense team to halt the psychotropic drug medications.

U.S. District Judge Larry Burns rejected a similar request by Loughner's attorneys in late June. The 9th Circuit Court of Appeal halted the medication but later allowed it to resume after prison officials determined Loughner's outbursts there posed a danger.

Loughner has pleaded not guilty to 49 charges in the Jan. 8 shooting that killed six people and wounded 13 others, including Rep. Gabrielle Giffords.

He has been at a federal prison facility in Springfield, Mo., since late May after mental health experts determined he suffers from schizophrenia. A judge ruled him mentally unfit to stand trial.

He was forcibly medicated between June 21 and July 1. The prison resumed his forced medication on July 19.

Loughner's attorneys are fighting the forced medication in both Burns' court and at the 9th Circuit. The key question is whether prison officials or a judge should decide whether a mentally ill person who poses a danger in prison should be forcibly medicated. Prosecutors say the decision is for prison officials to make, while Loughner's lawyers say it's up to a judge.

The appeals court will hold an Aug. 30 hearing over Loughner's forced medication.

Burns also will hear arguments Friday over prosecutors' allegation that Loughner's lawyers broke court rules by issuing subpoenas for a lease from an apartment complex where Loughner once lived, and for birth and death records for some of Loughner's relatives.

Prosecutors say the subpoena was issued without court approval and without giving copies to the government.

Prosecutors revealed that Loughner's attorneys issued nearly two dozen subpoenas for birth and death records of his maternal relatives. A relative of Loughner later said a defense team member came to her Texas home to talk about mental health problems suffered by relatives.

Prosecutors want Loughner's attorneys to provide an inventory of all the subpoenas they issued. They also asked the judge to throw out subpoenas that didn't comply

with court rules.

Loughner's attorneys argued they got court approval for the subpoenas.

The judge will consider a request by defense attorneys to have their client's clinical assessments at the prison videotaped. They argue such recordings would likely have evidentiary value and help safeguard his constitutional rights.

Prosecutors, who oppose the request, said that Loughner's attorneys have given no better reason for its videotaping request since Burns first rejected it about three weeks ago.

The hearing will be held in the San Diego courthouse where Burns is based. Burns was appointed to hear the case after all federal judges in Arizona recused themselves because one of the six people who died in the shooting was John Roll, the chief federal judge for Arizona.”

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

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Federal Judge Rejects Motions to Dismiss North Korea Leak Case Against Stephen Kim

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

Submitted at 8:21 AM August 26, 2011

Politico on August 26, 2011 released the following by Josh Gerstein:

“A judge in Washington has rejected defense motions to dismiss charges against a former State Department analyst charged with leaking top-secret intelligence about North Korea to Fox News.

Stephen Kim, who worked for the Energy Department but was detailed to Foggy Bottom, was charged last August with violating the Espionage Act by disclosing to James Rosen of Fox News that the U.S. believed North Korea was about to conduct a nuclear test. Kim was also charged with lying to FBI agents by denying contact with Rosen.

Kim's lawyers, led by D.C. defense attorney Abbe Lowell, asked U.S. District Court Judge Colleen Kollar-Kotelly to

dismiss the charges on a variety of grounds. One of the more interesting arguments was that the crime Kim allegedly committed amounted to treason and, according to the Constitution, could only be charged by testimony of two witnesses. Lowell also argued that transmission of classified information, as opposed to tangible documents, does not violate the Espionage Act—an argument he also offered in the defense of two pro-Israel lobbyists facing similar charges a few years ago.

However, in a 24-page opinion issued Wednesday, Kollar-Kotelly rejected all the defense motions. The judge called “compelling and eloquent” the defense arguments about the treason clause of the Constitution, but said precedent from various courts, including the Supreme Court, had established that Congress could establish similar crimes to treason without following the specific rules the

Constitution sets out for treason.

Kim's case is the fifth Espionage Act prosecution brought during the Obama administration in connection with alleged leaks of classified information to the media.”

Attached is [Stephen Kim – Memorandum Opinion and Order](#).

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

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John A. Ortiz Sentenced to 18 Months in Federal Prison for Structuring More Than \$943,000 in Cash Transactions

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

Submitted at 10:38 AM August 26, 2011

The Federal Bureau of Investigation (FBI) on August 25, 2011 released the following: “David B. Fein, United States Attorney for the District of Connecticut, announced that JOHN A. ORTIZ, 54, of Stratford, was sentenced today by United States District Judge Janet C. Hall in Bridgeport to 18 months of imprisonment, followed by two years of supervised release, for illegally structuring more than \$943,000 in cash transactions. Judge Hall also ordered ORTIZ to forfeit approximately \$388,540 to the government, and to pay a fine in the amount of \$75,000.

Federal law requires all financial institutions to file a Currency Transaction Report (CTR) for currency transactions that exceed \$10,000. To evade the filing of a CTR, individuals will often structure their currency transactions so that no single transaction exceeds \$10,000. Structuring involves the repeated depositing or withdrawal of amounts of cash less than the \$10,000 limit, or the

splitting of a cash transaction that exceeds \$10,000 into smaller cash transactions in an effort to avoid the reporting requirements. Even if the deposited funds are derived from a legitimate means, financial transactions conducted in this manner are still in violation of federal criminal law.

According to court documents and statements made in court, ORTIZ maintained a money market savings account at a credit union, and also had a personal line of credit at a bank. Between May 2006 and October 2009, ORTIZ made more than 70 large cash deposits into his savings account and more than 30 large cash payments to his personal line of credit account. The vast majority of the cash transactions were in the amount of \$9000, and none exceeded \$10,000. In total, ORTIZ structured approximately \$943,000 in cash deposits and line of credit payments.

ORTIZ used the deposited funds to purchase, or to obtain credit in order to purchase, properties in Connecticut and Florida. ORTIZ also used more than \$270,000 of the structured funds to settle a

business dispute with his former partner. ORTIZ owns and operates towing and auto repair businesses in Bridgeport and Stratford.

On May 25, 2011, ORTIZ waived his right to indictment and pleaded guilty to one count of structuring cash transactions.

This matter was investigated by the Internal Revenue Service—Criminal Investigation and the Federal Bureau of Investigation. The case was prosecuted by Senior Litigation Counsel Richard J. Schechter.”

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

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Former Sheriff Deputy Christopher Thomas Davis Arrested for Allegedly Producing Child Pornography

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

Submitted at 12:05 PM August 26, 2011

The U.S. Immigration and Customs Enforcement (ICE) on August 25, 2011 released the following:

“Former Georgia sheriff deputy arrested for production of child pornography involving a 7-year-old

GAINESVILLE, Ga. – A former White County, Ga., sheriff’s deputy was arrested for producing child pornography Thursday morning, following an investigation by U.S. Immigration and Customs Enforcement’s (ICE) Homeland Security Investigations (HSI).

In May 2009, Christopher Thomas Davis, 32, of Dahlonega, Ga., took photographs of a 7-year-old female engaged in sexually explicit conduct. Photographs of the minor were taken inside of Davis’ home in Dahlonega. At that time, and at the time of his arrest, Davis was employed as a sheriff’s deputy with the White County

Sheriff’s Office. Davis has since been terminated from his law enforcement position.

“ICE HSI will aggressively use its broad investigative authorities to identify and arrest any individual who seeks to sexually exploit children in this manner,” said Brock Nicholson, special agent in charge of ICE HSI in Atlanta. “This case is especially disappointing given the defendant held a position of public trust.”

The investigation is part of Operation Predator, a nationwide ICE initiative to identify, investigate and arrest those who prey on children, including human traffickers, international sex tourists, Internet pornographers, and foreign-national predators whose crimes make them deportable.

ICE encourages the public to report suspected child predators and any suspicious activity through its toll-free hotline at 1-866-DHS-2ICE. This hotline is staffed around the clock by

investigators.

Suspected child sexual exploitation or missing children may be reported to the National Center for Missing and Exploited Children, an Operation Predator partner, at 1-800-843-5678 or <http://www.cybertipline.com>.

Assistant U.S. Attorney for the Northern District of Georgia Jill E. Steinberg is prosecuting the case. Davis’ detention hearing is scheduled for Sept. 1.”

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

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scientist, Denise Dresser, who is an expert on that country's relations with the United States.

"I'm not necessarily opposed to greater American involvement," Ms. Dresser said. "But if that's the way the Mexican government wants to go, it needs to come clean about it. Just look at what we learned from Iraq. Secrecy led to malfeasance. It led to corrupt contracting. It led to torture. It led to instability. And who knows when those problems will be resolved.""

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

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happen?"

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