

Defendant: LELAND STEWART ANDERSON  
Case Number: 4:93-CR-075-Y (1)

Judgment -- Page 4 of 5

**RESTITUTION**

The defendant shall make restitution to the victims in the following amount:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Dr. Cheryl Anderson	\$1,570.00
American Express Travel Related Services Co., Inc.	\$6,278.71
Pleasant Hawaiian Holidays	\$6,548.00
Grady's Liquor Store	\$1,600.00

Payments of restitution are to be made to U. S. District Clerk. Restitution shall be in installments according to the following schedule of payments: the defendant shall pay any remaining balance of the restitution in the total amount of \$15,996.71, payable to U.S. District Clerk at the rate of at least \$450.00 per month, beginning 60 days after the defendant's release from confinement.

**FINE**

No Fine Imposed

**STATEMENT OF REASONS****Guideline Range Determined by the Court:**

Total Offense Level: 9

Criminal History Category: II

Imprisonment Range: 6 to 12 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 1,000 to \$ 10,000 (plus cost of imprisonment/supervision)

Fine is waived or is below the guideline range because of the defendant's inability to pay.

Restitution: \$15,996.71

[163]

Defendant: LELAND STEWART ANDERSON  
Case Number: 4:93-CR-075-Y (1)

Judgment -- Page 4 of 5

The sentence departs from the guideline range for the following reasons: the defendant's arrest history dates back to 1975 and includes nineteen arrests or charges. He has absconded bond on at least ten charges and has absconded sentencing on a 1981 Embezzlement conviction. Further, he absconded supervision on a 1985 probated sentence in Randall County, Texas. U.S.S.G. §4A1.3(d) and (e) provide for an upward departure for defendants who were either pending trial or sentencing on another charge at the time of the offense or there is prior similar conduct not resulting in a criminal conviction. Both of these issues apply in this case and are cited as reasons for upward departure. Further, the Court finds that Mr. Stewart's criminal history most closely resembles a Criminal History Category V, a conservative estimate. There is no doubt Mr. Stewart's Criminal History Category would be a VI if he were convicted and sentenced on half of his pending cases. An upward departure is further warranted to protect the community from this defendant.

# UNITED STATES POSTAL SERVICE

P. O. Box 224985, Dallas, TX 75222-4985

DATE: February 11, 1994

OUR REF:

SUBJECT: Sentencing Guidelines Amendments

TO: Robert E. Vincent  
Postal Inspector  
Office of Criminal Investigations  
475 L'Enfant Plaza W., S.W., Rm. 3327  
Washington, DC 20260-2160

Reference is made to your recent visit to the Dallas Domicile in reference to sentencing guidelines amendments.

Per your request, I am herewith forwarding additional specific data concerning sentences in volume loss/multiple victim cases which were prosecuted in the Dallas Division of the Northern District of Texas.

In the following three cases, the sentencing judge stayed within sentencing guidelines.

1. Defendant Glenda Kay Blevins, Case No. 202-1099743-ECMT(1), ISN 00715965, MO - Numerous thefts of mail from apartment house panel mailboxes. Date of sentencing - 11/13/92. Sentence, six months CAG, to be followed by two years supervised release. CR-3-92-361D.
2. Defendant Charles Wayne Hubbs, Case No. 202-1079728-ECMT(1), ISN 00707955, MO - Numerous thefts of mail from apartment house panel mailboxes. Date of sentencing - 03/01/93. Sentence, three years probation. CR-3-92-426X.
3. Defendant Kenneth Ray Yarbrough, Case No. 214-1112474-ECMT(1), ISN 00721564, MO - Numerous thefts of mail from apartment house panel mailboxes. Date of sentencing - 07/20/93. Sentence, 18 months CAG, to be followed with three years supervised release. 93-CR-247D.

In the following cases, the sentencing judge departed upward from the sentencing guidelines. A copy of each sentence is attached. The reasons for the upward departures vary, and are listed on the last page of each judgment.

1. Defendant Michael Allen Hekimain, Case No. 211-1060409-ECMT(1), ISN 00082732, MO - Possession of numerous credit cards stolen from the mail via a postal employee. Date of sentencing - 07/26/91. Sentence, five years CAG, to be followed with three years supervised release. CR-3-91-091R.

2. Defendant Jeffrey Lynn Humphrey, Case No. 202-1077642-ECMT(1), ISN 0008222, MO - Recidivist offender; numerous thefts of mail from apartment house panel mailboxes. Date of sentencing - 04/06/92. Sentence, five years CAG, to be followed with three years supervised release. CR-3-91-395R.
3. Defendant Wayne Patrick Landrum Case No. 224-1116080-ECMT(2), ISN 00737939, MO - Broke into a postal jeep and stole mail from within. Date of sentencing - 08/13/93. Sentence, 24 months CAG. CR-3-93-181D.

I am also forwarding a judgment concerning an unusually high upward departure. Defendant A. I. Irosogie, Case No. 214-1108504-ECMT(1), ISN 00726663, MO - Theft of credit cards from the mail. Date of sentencing - 05/24/93. Sentence, 12 years 6 months CAG. CR3-92-0511X.

Should you require any additional information, feel free to contact me at 214/760-4458 or via Electronic Mail, IS1849.

  
H. Herrera  
Postal Inspector

cc: W. G. Cunningham  
AINC, Fort Worth Division



FILE

JUL 3 1991

# United States District Court

NORTHERN District of TEXAS AT DALLAS

NANCY DOHERTY, CLERK

By UNITED STATES OF AMERICA  
Deputy

## JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

**MICHAEL A. HEKIMAIN**

Case Number: **CR-3-91-091-R (1)**

(Name of Defendant)

James W. Mills, III

Defendant's Attorney

### THE DEFENDANT:

pleaded guilty to count(s) 1 of the one-count indictment  
 was found guilty on count(s) \_\_\_\_\_ after a  
plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 1708	Possession of stolen credit card	12-7-90	1

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s) \_\_\_\_\_ and is discharged as to such count(s).  
 Count(s) \_\_\_\_\_ (is)(are) dismissed on the motion of the United States.  
 It is ordered that the defendant shall pay a special assessment of \$ 50.00 for count(s) 1, which shall be due  immediately  as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: [REDACTED]

Defendant's Date of Birth: [REDACTED]

Address: [REDACTED]

[REDACTED]

Defendant's Residence Address:

same

July 26, 1991

Date of Imposition of Sentence

*Jerry Busemeyer*

Signature of Judicial Officer

**JERRY BUSEMEYER**

**UNITED STATES DISTRICT JUDGE**

Name & Title of Judicial Officer

Certified a true copy of an instrument

JUL 31 1991

July 31, 1991

Date

*Annellee Lydick*

[167]

Defendant: **HEKIMAIN, MICHAEL A.**  
Case Number: **CR-3-91-091-R (1)**

Judgment—Page 2 of 5

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of sixty (60) months

The court makes the following recommendations to the Bureau of Prisons:

**That the defendant be incarcerated at the Federal Correctional Institute at Seagoville, Texas.**

- The defendant is remanded to the custody of the United States marshal.
- The defendant shall surrender to the United States marshal for this district.

- at \_\_\_\_\_ a.m.
- at \_\_\_\_\_ p.m. on \_\_\_\_\_
- as notified by the United States marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons.

- before 2 p.m. on August 7, 1991.
- as notified by the United States marshal.
- as notified by the probation office.

**RETURN**

I have executed this judgment as follows:

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Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

[168]



Defendant: **HEKIMAIN, MICHAEL A.**  
 Case Number: **CR-3-91-091-R (1)**

Judgment—Page 3 of 5

**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of \_\_\_\_\_  
**three (3) Years**

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.

The defendant shall not possess a firearm or destructive device.

The defendant shall make restitution in the amount of \$3,696.76 payable to the U.S. District Clerk for disbursement to the victims listed in the presentence report at the rate of \$125.00 per month, beginning 30 days after release from custody.

The defendant shall refrain from incurring new credit charges or opening additional lines of credit without approval of the probation officer unless the probation officer makes a determination that the defendant is in compliance with the payment schedule.

The defendant shall provide to the probation officer any requested financial information.

The defendant shall participate in group counseling programs as directed by the probation office. The defendant shall submit to urine surveillance to determine if the defendant has become involved in the use of illegal drugs.

**STANDARD CONDITIONS OF SUPERVISION**

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

[169]

Defendant: **HEKIMAIN, MICHAEL A.**  
Case Number: **CR-3-91-091-R (1)**

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Clerk of U. S. District Court Northern District of Texas 1100 Commerce St., Room 14A20 Dallas, Texas 75242	\$3,696.76

**For Disbursement To:**

First Data Resources  
Omaha, Nebraska  
Attn: Gene Parmenter  
Re: Visa Account 4233-2720-2008-2877 (Pentagon Federal Credit Union)

Payments of restitution are to be made to:

- the United States Attorney for transfer to the payee(s).
- the payee(s).

Restitution shall be paid:

- in full immediately.
- in full not later than \_\_\_\_\_.
- in equal monthly installments over a period of \_\_\_\_\_ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- in installments according to the following schedule of payments:

**\$125.00 per month, beginning 30 days after release from custody.**

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

**FORFEITURE**

The defendant is ordered to forfeit the following property to the United States:

[170]



Defendant: **HEKIMAIN, MICHAEL A.**  
Case Number: **CR-3-91-091-R (1)**

Judgment—Page 5 of 5

**STATEMENT OF REASONS**

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

**Guideline Range Determined by the Court:**

Total Offense Level: 5

Criminal History Category: VI

Imprisonment Range: 9 to 15 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 250.00 to \$ 8,893.00

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 3,696.76

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

**The defendant has one of the longest criminal history records the Court has ever seen.**

**The defendant has an extensive history of credit card abuse.**

**The defendant's criminal history category is not reflected adequately.**

[171]

# United States District Court

NORTHERN District of TEXAS AT DALLAS

UNITED STATES OF AMERICA

V.

JEFFREY LYNN HUMPHREY

(Name of Defendant)

## JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

Case Number: CR3-91-395-R (1)

L. Ray Pearce

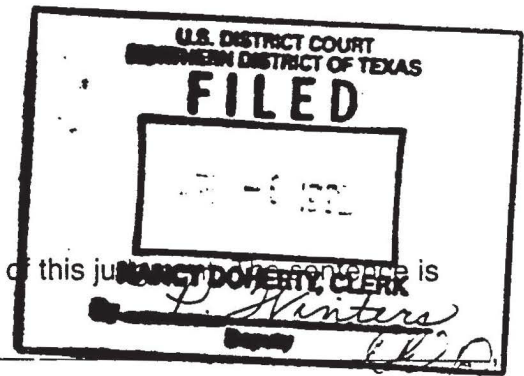
Defendant's Attorney

### THE DEFENDANT:

- pleaded guilty to ~~counts~~ the one-count information
- was found guilty on count(s) \_\_\_\_\_ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 U.S.C. 1708	Possession of stolen mail	5-31-91	1



The defendant is sentenced as provided in pages 2 through 5 of this judgment. Sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s) \_\_\_\_\_ and is discharged as to such count(s).
- Count(s) \_\_\_\_\_ (is)(are) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 50.00, for count(s) 1, which shall be due  immediately  as follows:

No fine is assessed.

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: \_\_\_\_\_

Defendant's Date of Birth: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

April 3, 1992

Date of Imposition of Sentence

*Jerry Buchmeyer*  
Signature of Judicial Officer

JERRY BUCHMEYER, UNITED STATES DISTRICT JUDGE

Name & Title of Judicial Officer

*April 6, 1992*  
Date

Date

Defendant: JEFFREY LYNN HUMPHREY  
Case Number: CR3-91-395-R (1)

Judgment—Page 2 of 5

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of sixty (60) months to run concurrently with the state sentence he is serving.

The court makes the following recommendations to the Bureau of Prisons:

Institution with drug treatment facility

- The defendant is remanded to the custody of the United States marshal.
- The defendant shall surrender to the United States marshal for this district,

- at \_\_\_\_\_ a.m. / \_\_\_\_\_ p.m. on \_\_\_\_\_.
- as notified by the United States marshal.

- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,
- before 2 p.m. on \_\_\_\_\_.
- as notified by the United States marshal.
- as notified by the probation office.

**RETURN**

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_

\_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

[173]



**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of \_\_\_\_\_  
three (3) years

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.

The defendant shall not possess a firearm or destructive device.

The defendant shall make restitution in the amount of \$850, payable to the U.S. District Clerk for disbursement to Northpark National Bank, 1300 Northpark Center, Dallas, Texas 75225 at a rate to be determined by the probation officer.

The defendant shall refrain from incurring new credit charges or opening additional lines of credit without approval of the probation officer unless the probation officer makes a determination that the defendant is in compliance with the payment schedule.

The defendant shall provide to the probation officer any requested financial information.

The defendant shall participate in a program approved by the U.S. Probation Office for treatment of narcotic addiction or drug or alcohol dependency which will include testing for the detection of substance use or abuse.

The defendant shall participate in group counseling programs as directed by the probation office.

**STANDARD CONDITIONS OF SUPERVISION**

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.



Defendant: JEFFREY LYNN HUMPHREY  
Case Number: CR3-91-395-R (1)

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

The defendant shall make restitution to the following persons in the following amounts:

**Name of Payee**

**Amount of Restitution**

As set forth in conditions of supervised release.

Payments of restitution are to be made to:

- the United States Attorney for transfer to the payee(s).
- the payee(s).

Restitution shall be paid:

- in full immediately.
- in full not later than \_\_\_\_\_.
- in equal monthly installments over a period of \_\_\_\_\_ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- in installments according to the following schedule of payments:

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

**FORFEITURE**

The defendant is ordered to forfeit the following property to the United States:

[148]

Defendant: **JEFFREY LYNN HUMPHREY**  
Case Number: **CR3-91-395-R (1)**

Judgment—Page 5 of 5

**STATEMENT OF REASONS**

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

**Guideline Range Determined by the Court:**

Total Offense Level: 11

Criminal History Category: VI

Imprisonment Range: 27 to 33 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 2,000 to \$ 20,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 850. Northpark National Bank

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s): **guidelines do not adequately take into account the defendant's significant prior history and likelihood of recidivism**

# United States District Court

NORTHERN District of TEXAS AT DALLAS

UNITED STATES OF AMERICA

V.

WAYNE PATRICK LANDRUM

(Name of Defendant)

## JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

Case Number: 3:93-CR-181-D (01)

FRANKLYN D. MICKELSEN

Defendant's Attorney

### THE DEFENDANT:

pleaded guilty to count(s) 1 of 3 Count Indictment  
 was found guilty on count(s) \_\_\_\_\_ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:1708	Theft of U.S. Mail	03/15/93	1

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
**FILED**  
AUG 13 1993  
NANCY DOHERTY, CLERK  
By *Leslie McCune*  
Deputy

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s) \_\_\_\_\_ and is discharged as to such count(s).  
 Count(s) 2 and 3 (~~is~~) (are) dismissed on the motion of the United States.  
 It is ordered that the defendant shall pay a special assessment of \$ 50.00 for count(s) 1, which shall be due  immediately  as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: \_\_\_\_\_

Defendant's Date of Birth: \_\_\_\_\_

Defendant's Mailing Address: \_\_\_\_\_

Defendant's Residence Address: \_\_\_\_\_

August 13, 1993

Date of Imposition of Sentence

*Sidney A. Fitzwater*

Signature of Judicial Officer

SIDNEY A. FITZWATER, UNITED STATES DISTRICT

Name & Title of Judicial Officer

JUDGE

August 13, 1993

Date

Certified a true copy of an instrument

Filed in my office on 8-13-93

NANCY DOHERTY, Clerk, U.S. District

Court, Northern District of Texas

[150]

Defendant: WAYNE PATRICK LANDRUM (01)  
Case Number: 3:93-CR-181-D

Judgment—Page 2 of 4

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of Twenty-four (24) months

The court makes the following recommendations to the Bureau of Prisons:

Defendant be assigned to an institution where he <sup>can</sup> participate in the comprehensive drug treatment program.

- The defendant is remanded to the custody of the United States marshal.
- The defendant shall surrender to the United States marshal for this district.

- at \_\_\_\_\_ a.m.
- \_\_\_\_\_ p.m. on \_\_\_\_\_
- as notified by the United States marshal.

- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons.
- before 2 p.m. on \_\_\_\_\_
- as notified by the United States marshal.
- as notified by the probation office.

**RETURN**

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

[151]



**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of \_\_\_\_\_  
Three (3) years

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.

The defendant shall participate in a program approved by the U.S. Probation Office for treatment of narcotic or drug or alcohol dependency which will include testing for the detection of substance use or abuse. It is ordered that the defendant contribute to the costs of services rendered in an amount to be determined by the probation officer, based on ability to pay or availability of third-party payment.

**STANDARD CONDITIONS OF SUPERVISION**

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant: WAYNE PATRICK LANDRUM (01)  
Case Number: 3:93-CR-181-D

Judgment - Page 4 of 4

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 4

Criminal History Category: VI

Imprisonment Range: 6 to 12 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 250 to \$ 5,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ N/A

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range (upward)

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

- 1) Based on 4A1.3, to adequately represent the defendant's criminal history, the Court departs to Level 9.
- 2) To adequately address the defendant's drug problem and in light of the fact that the Bureau of Prisons substance abuse program is 18 months in duration, a sentence outside the guideline range is warranted.



# United States District Court

NORTHERN DISTRICT OF TEXAS

Dallas Division

UNITED STATES OF AMERICA

v.

ARCHIE ISIBORE EMMANUEL ROSOGIE

THE DEFENDANT:

- pleaded guilty to count(s) 1, 5 and 8.
- was found guilty on count(s) \_\_\_\_\_ after a plea of not guilty.

## JUDGMENT IN A CRIMINAL CASE (For Offenses Committed on or After November 1, 1987)

Case Number: 3:92-CR-0511-X

Clint Broden, FPD  
Defendant's Attorney

U. S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

# FILED

MAY 28 1993

By NANCY DOHERTY, CLERK

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Deputy	Count Number(s)
18 U.S.C. § 1708	Possession of Stolen Mail	November 11, 1992		1
8 U.S.C. § 1326	Unlawfully Remaining in the United States after Deportation	November 11, 1992		5
18 U.S.C. § 1542	False Statement on a Passport Application	January 9, 1991		8

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s) \_\_\_\_\_ and is discharged as to such count(s).
- Count(s) 2, 3, 4, 6, 7, 9, 10, 11 are dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 150.00, for count(s) 1, 5, and 8, which shall be due  immediately  as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within thirty (30) days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: Unknown

Defendant's Date of Birth: [REDACTED]

May 24, 1993

Date of Imposition of Sentence

Defendant's Mailing Address:

[REDACTED]

Joe Kendall

Signature of Judicial Officer

Defendant's Residence Address:

JOE KENDALL, UNITED STATES DISTRICT JUDGE  
Name & Title of Judicial Officer

Same as above.

28:80 0210056

May 28, 1993

Date

Certified a true copy of an instrument on file in my office on 6-1-93  
NANCY DOHERTY, Clerk, U.S. District Court, Northern District of Texas  
By [Signature] Deputy

Defendant: ARCHIE ISIBORE EMMANUEL ROSOGIE  
Case Number: 3:92-CR-0511-X (01)

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 150 months.

- The court makes the following recommendations to the Bureau of Prisons:
- The defendant is remanded to the custody of the United States marshal.
- The defendant shall surrender to the United States marshal for this district,
  - at \_\_\_ am./pm. on \_\_\_\_.
  - as notified by the United States marshal.
- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,
  - before 2 p.m. on \_\_\_\_.
  - as notified by the United States marshal.
  - as notified by the probation office.

**RETURN**

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on 8-12-93 to FLE PLE at Flomoc, CO, with a certified copy of this judgment.

Tom L. Wooten, WARDEN  
~~United States Marshal~~

BY [Signature]  
Deputy Marshal

U. S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
**FILED**  
[Stamp Box]  
NANCY DOHERTY, CLERK  
Deputy



Defendant: ARCHIE ISIBORE EMMANUEL ROSOGIE  
 Case Number: 3:92-CR-0511-X (01)

Judgment -- Page 3 of 5

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 30 months.

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- The defendant shall report in person to the probation office in the district to which the defendant is released within seventy-two (72) hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.
- X The defendant shall provide to the probation officer any requested financial information.
- X The defendant shall not illegally reenter the United States, if deported.
- X The defendant shall submit to urine surveillance to determine if the defendant has become involved in the use of illegal drugs.

### STANDARD CONDITIONS OF SUPERVISION

While on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

1. the defendant shall not leave the judicial district without the permission of the court or probation officer;
2. the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five (5) days of each month;
3. the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. the defendant shall support his or her dependents and meet other family responsibilities;
5. the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. the defendant shall notify the probation officer within seventy-two (72) hours of any change in residence or employment;
7. the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
8. the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
10. the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. The defendant shall notify the probation officer within seventy-two (72) hours of being arrested or questioned by a law enforcement officer;
12. the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant: ARCHIE ISIBORE EMMANUEL ROSOGIE  
Case Number: 3:92-CR-0511-X (01)

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

The defendant shall make restitution for the following persons in the following amount:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Household Credit Services P.O. Box 80055 Salinas, CA 93912-055 Attn: Fraud Department Card No. 5437-0004-0415-7549	\$6,992.59
Household Credit Services P.O. Box 80055 Salinas, CA 93912-055 Attn: Fraud Department Card No. 5437-0004-0392-9773	\$6,900.00
Discover Card P.O. Box 29024 Phoenix, AZ 85038-9024 Attn: Cletus Bottrell	\$ 535.40
Visa 2223 Dodge Orlan, NE 68102	\$ 12.96

Payments of restitution are to be made to:

- the U. S. Clerk for transfer to the payee(s).
- the payee(s).

Restitution shall be paid:

- in full immediately.
- in full not later than \_\_\_\_\_.
- in equal monthly installments over a period of 30 months.
- in installments according to the following schedule of payments:

payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: ARCHIE ISIBORE EMMANUEL ROSOGIE  
 Case Number: 3:92-CR-0511-X (01)

Judgment -- Page 5 of 5

### STATEMENT OF REASONS

- The court adopts the factual findings and guideline application in the presentence report.

OR

- The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

#### Guideline Range Determined by the Court:

Total Offense Level: 13

Criminal History Category: VI

Imprisonment Range: 33 to 41 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 3,000 to \$ 30,000

- Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 14,440.95

- Full restitution is not ordered for the following reason(s):

- The sentence is within the guideline range, that range does not exceed twenty-four (24) months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

- The sentence is within the guideline range, that range exceeds twenty-four (24) months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

- upon motion of the government, as a result of defendant's substantial assistance.
- for the following reasons:

The Court grants a one-level downward departure based on 5k1.1 motion for substantial assistance; upward departure based on criminal history which under represents recidivism and type of crimes in criminal history reflects likelihood of recidivism. Criminal history understates seriousness of crime committed. Risk of recidivism is high. Total offense level is 26. Criminal history category is VI. November 1, 1992, amendments under USSG 4A1.3 directs the sentencing judge to go down the sentencing grid to establish the appropriate sentence.

[158]



# UNITED STATES POSTAL SERVICE

---

DATE: February 24, 1994

OUR REF: SAL:bjl

SUBJECT: EXTERNAL CRIME BRIEFS

TO:

Bob Vincent  
Postal Inspector  
Washington, D.C.

## BRIEF

Case Nos. 201-1042011-ECMT(1), 201-1085848-ECMT(1), 201-1131292-ECMT(1)

Gang Activity of "The Circle", Phoenix, AZ

Beginning in January, 1990 the U.S. Postal Inspection Service, Phoenix, AZ began an investigation into the activities of a "check washing" gang operating in Phoenix, AZ. The group had its origin in "dumpster diving" to obtain discarded old checks and printer's check stock. They developed a system of soaking (washing) checks to remove ball-point ink without damaging the printer's ink. They then began breaking into apartment complex mailboxes, Neighborhood Delivery Collection Box Units, and Collection Boxes to obtain more current checks. They would obtain incoming boxes of checks, credit cards, and numerous forms of identification.

The gang, at its height, were breaking into 3-4 units per night. The organization was controlled by methamphetamine distributors, who belonged to the Aryan Brotherhood, a white supremacist group. It had seven "inner circles". Each circle had a leader, an enforcer, and a recruiter. Five of the circles were concentrating on check washing while the other two concentrated on counterfeiting checks. There have been four homicides associated to "The Circle".

Members of the circle were recruited from the drug culture or from the homeless population. On occasion a person digging through trash would be approached and given money. They were instructed to get cleaned up and meet again the next day for additional money. These people would then be sent into a bank to cash "washed checks" that had been made payable to them. Hundred of citizens experience bounced checks, overdraft fees, and bad credit reports as a result of this scheme.

During the past three years bank officials estimate they have lost in excess of \$6 million to check washing and counterfeit checks in the Phoenix metro area. Approximately eighty (80) people have been arrested in this case to date, including "The Circle" leader and the leaders of the seven "inner circles". Of the approximately 50 Inspection Service arrests, 5 have been handled Federally with the greatest sentence being three years and the others received probation. All the other cases have been handled by the State of Arizona with the average sentence being seven years hard time. The leader of the group received a 25 year sentence in Superior Court for the State of Arizona.

Steve A. Landis  
Postal Inspector  
ISN 2109  
Phoenix Division

(Video of news coverage to follow)

# UNITED STATES POSTAL SERVICE

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DATE: February 24, 1994  
OUR REF: DH:bjl  
SUBJECT: EXTERNAL CRIME BRIEFS

TO: Bob Vincent  
Postal Inspector  
Washington, D.C.

## BRIEF

Case No. 201-1121089-ECMT(1)

### Vehicle Breakins

The Phoenix Division began investigating a series of 10 U.S. Postal Service vehicle break-ins between May 15, 1993 and July 2, 1993. In each case the method of operation was similar. The letter carrier arrived at the delivery area, parked and locked the vehicle on a city street. While the carrier delivered the mail on foot, and was away from the vehicle, a male suspect would approach the vehicle and throw a large rock through the vehicle's window. The suspect would then remove all the mail from the Postal vehicle. The suspect would place the mail into a waiting vehicle, occupied by at least one other person.

From a vehicle breakin on June 18, 1993, Inspectors were able to lift a latent palmprint. This palmprint led to the identification of the suspect. Inspectors began surveilling a residence, believed to be frequented by the subject.

On July 2, 1993, Phoenix Postal Inspectors apprehended three suspects who had in their possession, mail stolen from a USPS vehicle breakin which occurred about one hour prior to their arrest.

Suspect No. 1, who had an extensive criminal history plead to one count of Possession of Stolen Mail (18 USC 1708) and received 10 months in prison.

Suspect No. 2, who was on Federal Parole for mail fraud, and also had an extensive criminal history went to trial and was convicted of Possession of Stolen Mail (18 USC 1708) and subsequently was sentenced to 12 months in prison.

Suspect No. 3, has a minor criminal history and has plead guilty and is awaiting sentencing.



Judge Earl Carrol, Senior Presiding Judge, U.S. District Court, District of Arizona, was very upset at the sentencing of both suspects No. 1 and No. 2. Judge Carrol informed both defendants the statute calls for a maximum of 5 years imprisonment, however, according to the Federal Sentencing guidelines, the maximum sentence he could impose on Suspect No. 1 was 10 months, which he did, and the maximum sentence he could impose on suspect No. 2 was 12 months, which he did. Judge Carrol advised both defendants, if he were able to impose the maximum 5 years sentence as called for in the statute, he would have.

D. Hilburn  
Postal Inspector  
ISN 4707  
Phoenix Division

Beginning March 31, and continuing through April 23, 1993, the Postal Service reported thirteen (13) incidents where U.S. Mail had been stolen from U.S. Mail Storage boxes in the Flushing area of Queens, NY. In all of these thefts, no damage or forced entry to the storage boxes was noted.

On April 15, 1993, an Inspection Service confidential informant was introduced to an individual Christopher Myers at Myers' residence, 14-30 155th Street, Whitestone, N.Y.. During this meeting, recorded and monitored by Postal Inspectors, Christopher Myers agreed to produce a counterfeit New York State driver's license that would contain the photograph of the confidential informant. While in the process of producing this counterfeit identification, the informant witnessed Christopher Myers in possession of a postal "Arrow" key, which Myers admitted to using to steal U.S. Mail from storage boxes, and numerous stolen checks and credit cards.

On April 20, 1993, the confidential informant introduced an undercover Postal Inspector, posing as a owner of a collusive check cashing establishment, to Christopher Myers. During this meeting, Myers sold to the undercover six (6) stolen checks, including four (4) U.S. Treasury Checks and one (1) New York State Unemployment check. All six (6) of the checks bear dates and have addressees which were effected during thefts from U.S. Mail storage boxes located in Flushing Queens earlier in April.

On April 28, 1993, the undercover Postal Inspector again meet with Christopher Myers and purchases from Myers nine (9) additional checks. A review of the addressees listed on these checks indicated that they were from two (2) storage boxes where mail was stolen on April 23, 1993 in Flushing Queens.

On April 29, 1993, a federal search warrant was executed at Myers' residence by Postal Inspectors and U.S. Secret Service Agents. Christopher Myers was present during the execution of the search and was placed under arrest. Found incident to the search of Myers' residence where the following items:

- A U.S. Mail postal "Arrow" key
- Four (4) sacks of U.S. Mail from two storage box thefts occurring on April 23, 1993.
- One compact paper shredder with one bag of shredded mail.
- Numerous counterfeit New York State driver's licenses
- Four (4) handguns and ten (10) rifles and shotguns

On July 15, 1993, Myers was indicted in the Eastern District of New York, Brooklyn, N.Y. on one (1) count each of Theft of Mail (18USC 1708), Possession of a stolen key used by the U.S. Postal Service (18USC 1704), Unauthorized use of an access device (18USC 1029), and Interstate transportation of firearms (18USC 922). On October 15, 1993, at the insistence of the Assistant U.S. Attorney, Myers entered a plea of guilty to the one firearms count due to the higher exposure under the sentencing guidelines (8 to 14 months vs. 0 to 6 months). On January 07, 1994, Myers' sentencing was postponed when U.S. District Court Judge Reena Raggi questioned whether the plea to the firearms count was proper in light of the mail theft investigation and the defense's request for a reduction in the sentencing guideline under the "sportsman's" provision for firearm offenses. On February 25, 1994, after the defense withdrew their guideline reduction request, Myers was sentenced to twelve (12) months incarceration and three (3) years supervised probation by Judge Raggi.



# UNITED STATES POSTAL SERVICE

POSTAL INSPECTORS

BROOKLYN GMP, 1050 FORBELL ST, BKLYN, NY 11256-9901

DATE: February 23, 1994

OUR REF: See Below

SUBJECT: Sentencing Guidelines

TO: Insp. L. J. Kennedy

Listed below are three (3) cases in which prosecution was completed in U.S. District Court EDNY. Any further questions please contact me.

Case No. 216-1087076 ECMT(2)

This case was initially referred to me by the Internal Crimes Inspectors, after an arrest of a non-postal employee. Residents in 1200 Neck Road, Brooklyn, NY 11229 were experiencing non-receipt of credit cards and fraudulent requests for credit cards in their name. Subsequent to the investigation it was revealed that the Defendant, Emanuel Fischler had also obtained three (3) mail drops in various names using phoney corporations and assuming the identity of numerous persons including two deceased persons. Mr. Fischler was responsible for in excess of twenty (20) fraudulent applications for credit cards and the theft of at least fifteen (15) other credit cards. the total loss to various Credit Card Companies and banks is in excess of \$69,000. Mr. Fischler has pled guilty in Federal court. Since his plea of guilty, Mr. Fischler has agreed to cooperate in an investigation involving H.U.D. Housing and NYC Rent Stabilization Fraud. Defendant sentenced to three years probation and restitution.

Case No. 203-1092398 ECMT(1)

This case initiated by complaints to me by Chemical Bank. The defendant Danillo Marte was responsible for depositing and withdrawing over \$143,000.00 in stolen checks into his bank account. The investigation revealed that all of the checks deposited were stolen from relay boxes and jeep attacks in Brooklyn and Queens, NY. Mr. Marte agreed to attempt to set up the persons responsible for bringing him the stolen checks. This met with negative results. Mr. Marte has pled guilty in Federal Court and was sentenced to five months in prison, five months home detention and five years probation.

Case No. 206-1114520 ECMT(2)

This case was initiated on a customer complaint from Brooklyn, NY 11223. The subject Vladimir Kourbatski, a Russian, was involved with others in the organized theft of checks from the mail and the depositing and attempted withdrawal of the money from banks in New York City. Mr. Kourbatski and



others would open fraudulent bank accounts with Citibank and the Dime Savings Bank. I was aware of this as it was happening. Mr. Kourbatski was arrested as he attempted to withdraw \$9,600 from the Dime Savings Bank in Brooklyn. He was not able to withdraw the \$69,000 from the Citibank account. Mr. Kourbatski went to trial in the U.S. District Court, EDNY was convicted and sentenced to eleven months prison and three months probation and will be deported after finishing sentence.

*R. T. Wolff*

R. T. Wolff  
Postal Inspector  
(718)348-3727

/gc

FROM: INSP. W. L. STABILE

VOLUME MAIL THEFT SENTENCING PROJECT

CASE NO. 202-1105484 ECMT(1) Between April 1992 and October 1992, defendant Kamour-Dess Laval defrauded Citibank by fraudulently opening approximately eight bank accounts using false names and fraudulent identification documents. He would deposit stolen, forged and fraudulently endorsed checks and subsequently withdraw these monies through the use of automated teller machines. Numerous treasury checks stolen from postal relay boxes or carrier carts were some of the negotiable items deposited into these accounts. There were no leads which led us to believe that the defendant actively participated in the actual theft of these checks. It appears he was just one member of a gang of mail thieves who would steal checks from relay boxes. His role in the gang would be to open bank accounts in other peoples' names and deposit the checks before withdrawing the monies. Due to the lack of cooperation from the defendant we were unable to determine who the actual relay box thieves were. It was determined through cross referencing checks and accounts that the total loss to various financial institutions exceeded \$1,000,000.00. Because we could not determine the extent of the defendants knowledge pertaining to the scheme we could not hold him accountable for losses in excess of those he participated in. The actual loss directly connected to the defendant was \$360,916.13. The defendant was sentenced April 16, 1993 in Federal Court in the Eastern District of New York to fifteen months in prison. Further investigation led us to the arrest of another individual connected to the gang case. Defendant Isiako Ganiyu was arraigned in Federal Court on March 9, 1993 but prosecution is pending. It has been determined that he was a co-conspirator with Laval in the opening of these fraudulent bank accounts. No evidence has determined whether Ganiyu was involved in the actual relay box attacks.

END::

214-1104637-ECMT

A loose knit group of Dominicans residing in the Corona area of Queens have been responsible for several hundred volume mail thefts throughout the NY area since 1990. Different "crews" were identified going out and stealing mail. The individuals responsible for the thefts had many things in common including modus operandi, fences, and hangouts. The different crews knew each other and shared information such as the best area to steal mail or if an area was "hot" and should be avoided. The following are individuals arrested during the course of this investigation.

Cecilio Adames - Paulino was arrested after the Inspection Service received information that he and another Dominican had stolen a large quantity of mail. He was arrested in front of his residence in possession of several thousand pieces of mail stolen earlier from 2 relay boxes. Twenty-three US Treasury checks and four credit cards were found in his pocket.

Adames- Paulino admitted being a member of a "crew" that stole mail on over 50 occasions from relay boxes and jeeps throughout NYC. His cooperation did not go beyond an oral admission. He pled guilty and received a 7 month prison sentence.

Jose Sanchez was also a member of a "crew" that stole mail from relay boxes on numerous occasions. He was arrested in December, 1992, after his vehicle was described at a relay theft. He admitted involvement in that theft and about 15 others in which thousands of pieces of mail were stolen. Sanchez was arrested again on 5/21/93 after selling a stolen non receipt credit card to an undercover agent. He was arrested again on 5/23/93 after he was identified at a relay box theft. Sanchez pled guilty on 11/4/93 and received a sentence of 30 day home-confinement and 3 years probation.



U S P O S T A L I N S P E C T I O N S E R V I C E  
E L E C T R O N I C M E S S A G E

Date: 22-Feb-1994 05:52pm EST  
From: RALPH A NARDO  
IS4299  
Office: NEW YORK DIVISION  
Phone: (718)655-6800/6824

TO: LEONARD J KENNEDY ( IS2831 )

CC: ARTHUR A LYNCH ( IS3360 )

Subject: SENTENCING GUIDELINES

AS PER YOUR REQUEST HERE IS A RECENT SENTENCING INVOLVING AN INDIVIDUAL WITH MULTIPLE FEDERAL ARRESTS FOR VOLUME ATTACKS:

CASE NOS. 212-1109005-ECMT(1)  
201-1118338-ECMT(1)

LATCHMAN SINGH WAS ARRESTED IN SDNY ON 12/23/92 AND 5/11/93 AND CHARGED WITH VIOLATION OF 18 USC 1708 ON BOTH OCCASIONS. SINGH PLEAD GUILTY TO THE FIRST ARREST ON 3/22/93, IN WHICH IN EXCESS OF \$6,000 OF CREDIT CARD LOSSES WERE ATTRIBUTABLE. THE SECOND VIOLATION WAS FOR A RELAY BOX ATTACK WHICH OCCURRED ON 4/10/94 IN WHICH IN EXCESS OF \$28,000 OF TREASURY CHECKS WERE RECOVERED WHICH HAD NOT YET BEEN NEGOTIATED. THIS WAS LESS THAN THREE(3) WEEKS AFTER SINGH PLEAD GUILTY TO THE FIRST VIOLATION. AT NO TIME DID SINGH PROVIDE ANY COOPERATION TO THE GOVERNMENT. SINGH PLEAD GUILTY TO THE SECOND VIOLATION ON 10/1/93. THERE WAS STRONG EVIDENCE TO PROVE THAT SINGH WAS INVOLVED IN SEVERAL VOLUME ATTACKS IN LOWER WESTCHESTER COUNTY AND THE BRONX. HE IS SUSPECTED TO BE INVOLVED IN APPROXIMATELY 30 RELAY BOX ATTACKS.

ON 2/15/94 SINGH WAS SENTENCED IN SDNY UNDER DOCKET NOS. 93-CR-186 AND 93-CR-607 TO THE FOLLOWING:

3 MONTHS PRISON  
3 MONTHS HOME DETENTION  
3 YEARS SUPERVISED RELEASE

AS WE SPEAK I HAVE BEEN INFORMED THAT SINGH WAS ARRESTED ON STATE CHARGES FOR POSSESSION OF A CREDIT CARD STOLEN FROM THE MAIL ON 2/17/94. SDNY AUSA JOHN DESMARIS HAS INDICATED HE WILL ASK THE SENTENCING JUDGE FOR AN IMMEDIATE REMAND. SINGH WAS SCHEDULED TO SURRENDER 3/18/94 AND HIS OFFICE WOULD SEEK FEDERAL PROSECUTION.

MORE TO FOLLOW.....

OFFICE OF CRIMINAL

CASE BRIEF - INSPECTOR GENERAL REPORT

TYPE OF BRIEF: Preliminary  
CASE NUMBER : 201-1071541-ECMT(1); 201-1072296-ECMT(1)  
CITY, STATE : Seattle, WA  
SUBJECT :

Arrest of gang leaders, James Michael Morelli and Steven Wayne Blair for the theft of outgoing checks from collection boxes through use of counterfeit Postal Service Arrow keys.

SUMMARY:

Beginning in early May 1991, the Seattle Division of the Postal Inspection Service began receiving complaints from customers and area banks, indicating that outgoing checks deposited in collection boxes throughout the greater Seattle area were being stolen, washed, and negotiated after entry of new payees and amounts. As of August 27, 1991, 111 washed checks had been recovered, 94 of which were successfully negotiated for losses to area banks of at least \$66,382.52. In cashing the checks the subjects utilized 29 stolen Washington State Driver's Licenses as identification.

Investigation disclosed that at least two loosely knit gangs were involved in the theft of the checks from collection boxes through use of counterfeit U.S. Postal Service Arrow keys and that often the collection boxes being attacked were located directly in front of postal stations and branches. It was determined the stolen checks were being washed in a solution of denatured alcohol and acetone which removed the ink entries on the checks and that the checks themselves were often business checks originally written in payment for utility and other bills.

Through bank surveillance photos and Inspection Service Crime Laboratory analysis of over 229 washed and other forged checks, James Michael Morelli, dob: 02-15-65, and Steven Wayne Blair, dcb: 11-12-52, were identified as being responsible for at least 55 of the 94 washed checks which had been negotiated accounting for \$43,322.96 of the total losses and accounting for 10 of the 29 identifications used.

On July 16, 1991, acting on information provided by the Inspection Service and a confidential informant, Mountlake Terrace, WA Police Detectives arrested James Michael Morelli on an outstanding warrant from King County, WA, issued following his escape from the King County Court House on May 1, 1990, after he had been sentenced to 33 months imprisonment for the offense of trafficking in the first degree. In subsequent questioning, Morelli admitted to the use of a counterfeit Arrow key to gain entry to over 50 collection boxes from which he stole outgoing checks. A search of the

vehicle Morelli was driving incident to his arrest resulted in the recovery of a counterfeit Postal Arrow key and numerous washed checks in the process of drying.

On July 22, 1991, Steven Wayne Blair was arrested by Postal Inspectors on probable cause as he was released from the Renton, WA City Jail. He had been held there since July 20, 1991, following his arrest by officers of the Renton Police Department on investigation of being in possession of stolen property. A search of Blair's residence on July 20, 1991, by Renton Police, Seattle Police and Postal Inspectors resulted in the recovery of three counterfeit Arrow keys, mail stolen from three relay boxes on July 17 and 18, 1991, and numerous checks stolen from the mail which were in the process of being washed.

On July 23, 1991, Blair appeared before United States Magistrate at Seattle, WA, and was charged by complaint with one count of being in possession of a counterfeit Postal Arrow key, Title 18, USC, Section 1704, and four counts of being in possession of stolen mail, Title 18, USC, Section 1708. Blair failed to appear for a probable cause hearing scheduled for August 12, 1991, and a federal warrant has been issued for his arrest. To date, four additional individuals associated with the two gangs have been taken into state custody on unrelated charges and information and evidence relative to their involvement in this scheme is being provided to local prosecutors.

VISUAL/GRAPHIC:     \_\_\_ NONE     X SENT UNDER SEPARATE COVER

Press Releases

CASE INSPECTOR     :   S. R. Pilkey

PHONE NO.:             (206) 442-6321

DOCUMENT NAME       :   Case Brief-Seattle, WA



OFFICE OF CRIMINAL

CASE BRIEF - INSPECTOR GENERAL REPORT

TYPE OF BRIEF: Final  
CASE NUMBER : 201-1071541-ECMT(1); 201-1072296-ECMT(1)  
CITY, STATE : Seattle, WA  
SUBJECT :

Sentencing of gang members.

SUMMARY:

On January 15, 1993, the last of seven defendants in the subject cases was sentenced in the King County Superior Court following a guilty plea to three counts of forgery and one count of possession of stolen property relating to the theft of checks from the U. S. Mails.

In previous actions, Steven Wayne Blair appeared in Federal District Court at Seattle, WA, on April 24, 1992, and was sentenced to eight months imprisonment to be followed by three years supervised release following his conviction on seven felony counts of possessing counterfeit Postal Service keys, stolen mail, and bail jumping. On September 17, 1991, James Michael Morellie, was sentenced to twenty-two months imprisonment in Snohomish County Superior Court after pleading guilty to three counts of forgery involving checks stolen from the mails.

The other five defendants in the subject cases were sentenced in King County Superior Court as follows:

201-1071541-ECMT(1)

Tron Joseph Luketa, fourteen months imprisonment, three years probation, on November 22, 1991.

John Kenneth Speaks, twenty-four months imprisonment, one year probation, on November 8, 1991.

Rosalie Joy Hardenbrook, three months imprisonment, one year probation, on November 7, 1991.

201-1072296-ECMT(1)

John Darrel McKenrick, fourteen months imprisonment, one year probation, on January 24, 1992.

Diane Elizabeth Foust, fourteen months imprisonment, one year probation on January 15, 1993.

The above defendants were involved in the theft of mail from the U. S.

Postal Service collection boxes. Individuals' personal checks would be "washed" and new payees and amounts entered on the checks. During the course of the investigation, 111 such washed checks were recovered, 94 of which had been successfully negotiated for losses to area banks of over \$66,382. Twenty-nine stolen Washington State driver's licenses were used to cash the checks which were often altered by overlaying the photo of the true license holder with a photograph of one of the defendants.

VISUAL/GRAPHIC:    X   NONE        \_\_\_\_\_ SENT UNDER SEPARATE COVER

CASE INSPECTOR        :    S. R. Pilkey

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DOCUMENT NAME         :    BRIEF/BLAIR/920814