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DEPARTMENT OF THE TREASURY BUREAU OF ALCOHOL, TOBACCO AND FIREARMS 100 South Fourth Street, Suite 750 St. Louis, Missouri 63102

March 31, 1997

FILE: 745519970012

Clerk of the Circuit Court Municipal Court Building 1320 Market Street, Room St. Louis, Missouri 63101

Dear

This letter will serve as an official request by the Bureau of Alcohol, Tobacco & Firearms (ATF) for certified convictions in the Circuit Court of the City of St. Louis on the following individual, who is the subject of a federal investigation:

NAME: Boyd, Willie E. a/k/a Willie E. Osborne

DOB: 07/11/49 SSN: 490-52-6605

Cause Numbers:

23130, Robbery 1st Degree, date of disposition: 07/11/67.

2324T, Burglary 2nd Degree, date of disposition: 01/31/72.

2325T, Stealing, date of disposition: 01/31/72.

781162, Unlawful Use of Weapon, date of disposition: 06/02/80.

79103364, Felonious Failure to Appear on Bail, date: 06/02/80.

79103364, Carrying Concealed Weapon, date: 06/02/80.

79103364, Illegal Possession of Schedule II Controlled Substance, date of disposition: 06/02/80.

Please forward the requested convictions, as well as any other convictions located to:

Special Agent 7 100 South Fourth Street, Suite St. Louis, Missouri 63102

Thank you for your prompt attention to this matter. If you have any questions regarding this request, please contact Special Agent - at (314) 425-555

Sincerely,

('' ' 'V

Special Agent in Charge

Link .

This Page Referred See Cover Letter

Bureau of Alcohol, Tobacco & Firearms

Resident Agent in Charge, ST. LOUIS II Field Office KANSAS CITY FIELD DIVISION 1222 Spruce Street, Room St. Louis, Missouri 63103

Telephone: (314) 539-74 ^^ Fax: (314) 539-75 ^^

Date: 10/05/98	Page 1 of _	4 Pages
TO: Kansas City Field Division		
Attn: SAC		
FROM:		
SUBJECT: SAR re: 745519 97 0012 (B	OYD,::Willie	E.)
COMMENTS: As required!		



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SIGNIFICANT ACTIVITY REPORT Kansas City Field Division October 5, 1998

From: Special Agent in Charge

Kansas City Field Division

To: Chief, Intelligence Division

Attn: Special Agent in Charge

Firearms Enforcement Branch

Case Information

Case Number: 745519 97 0012 Monitor Number:

Case Title: BOYD, Willie E.

Assigned Special Agent: Telephone #: (314)539-74

Activity Information

Synopsis of Incident: Sentencing of Armed Career Criminal (ACC) for violations of federal firearms and narcotics laws, social security fraud violations and the filing of false IRS currency transaction reports (CTR).

Date of Incident: October 2, 1998 Time of Incident: 4:30 p.m.

Location: 1114 Market Street, St. Louis, Missouri 63101

Publicity:		None
•	X	Local
		Regional
• •		National



Boyd Sentencing SAR

Other Agencies Involved: U.S. Marshal's Service, Internal Revenue Service, Social Security Administration, Missouri Department of Revenue, St. Louis Metropolitan Police Department.

Property in Law Enforcement Custody: Glock 9mm pistol, miscellaneous false identification, 33 grams of cocaine, scale, mixer, and US currency.

Suspect/Defendant Information

Suspect Name: Willie Edward Boyd Suspect DOB: 07/11/49 Suspect Address: 1403 E. DeSoto, St. Louis, Mo

Suspect Sex/Race: B/M

Prior Criminal History: One (1) felony conviction for Robbery, Two (2) convictions for Burglary; One (1) Unlawful Use of a Weapon felony conviction; One (1) Felon/Addict Possess Firearm; and One (1) Federal Possession With Intent to Distribute Cocaine and Possession of an Unregistered Firearm (U.S. District Court).

Current Charges:

Title 18, U.S.C., Section 922(g) - Felon in Possession of a Firearm. (2 cts)

Title 18, U.S.C., Section 924(e) - Armed Career Criminal(2 cts)
Title 21, U.S.C., Section 841(a) - Possession of Cocaine With
Intent to Distribute.

Title 42,U.S.C., Section 408(a)(7)-Social Security fraud(2cts)
Title 31, U.S.C., Section 5313,5324(a)(2) and 5324(c)-Filing
False Currency Transaction Reports (3 cts)

Title 18, U.S.C., Section 982(a)(1) - Asset Forfeiture

Current Venue:

U.S. District Court, Eastern District of Missouri



Narrative of Activity

On February 1, 1997, Willie BOYD, an armed career criminal, was arrested by the U.S. Marshal's Service on an outstanding Federal Parole Warrant. At the time of his arrest, BOYD was in possession of 33.72 grams of cocaine, a Glock 9mm pistol, a scale, a blender, miscellaneous false identification and a quantity of US currency. BOYD was a previous ATF offender in 1982, and was convicted in U.S. District Court, Eastern District of Missouri, for the Possession of Heroin and Cocaine With Intent to Distribute and Possession of an Unregistered Firearm (machinegun).

After his arrest, ATF began an investigation into BOYD's criminal activity and learned that he had gambled in excess of \$150,000 in an eight month period in 1995 at the Casino Queen, in East St. Louis, Illinois. It was discovered that BOYD filed false IRS Currency Transaction Reports (CTR) on three (3) separate occasions where he gambled in excess of \$10,000 in an alias name. Further investigation of his alias name revealed that BOYD was arrested in 1995 by St. Louis Metropolitan Police Department (SLMPD) Narcotics Detectives, under the alias name, in possession of drugs and firearms. BOYD has four (4) previous homicide arrests and was reported in 1978 to be a hit man for a nationally organized black mafia that was maintaining control of the illicit narcotics trade in Oakland, CA.

On April 16, 1998, BOYD was convicted on the nine (9) counts charged in the indictment, in a bench trial in front of U.S. District Judge Stephen N. Limbaugh.

On October 2, 1998, U.S. District Judge Stephen N. Limbaugh sentenced BOYD to 276 months (23 years), six (6) years Supervised Release and a special assessment of \$600.



15:37 IECS II - PERSON SUBJECT ENTRY (1 OF 3) 071197 TID= ARMED & DANGEROUS ENTRY 082682 UPDATE 071197 TECS RECORD ID NAME- LAST BOYD PHYSICAL IDENTIFIERS MID EDWARD RACE B SEX M HAIR BK EYES BR FIRST WILLIE ALIAS M NICKNAME STC NAME FLIP? N HT 509 511 WT 160 170 E/M E S/M/T PERSONAL-MORE DOB 071149 19 POB- CNTRY ST CITY CTZN MORE M SSN 490526605 MORE AFN MORE RES EXC/STE MORE PPN TYPE CNTRY ISSUED EXPIRES MORE ADDRESS- DATE 040897 STREET 2091 VICTORY WAY LANE STATE MO CNTRY US ZIP 63138 TYPE MORE M CITY ST LOUIS CONTACT- ALCOHOL TOBACCO & FIREARMS PHONE (314)425-55 3 CASE NBR 745519970012 MORE M OWNER START 040897 STOP 040898 QUERY NOTIFY 1 PRIMARY 1 ARMED & DANGEROUS STATUS SC SUBJECT OF CURRENT INVESTIGATION CAT REMARKS- DATE 040897 NEW REMARKS MORE REMARKS 022197-OPENED-ARRESTED IN POSN OF FIREARM & NARCOTICS 020197//050697-CASE RPT FRWD-VIOL T18 922G & 924E & T 21 841A1//

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13:59 TECS II - FERSON SUBJECT ENTRY (1 OF 3) 040897

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PERSONAL-

TECS RECORD ID

ARMED & DANGEROUS ENTRY 082682 UPDATE 040897

PHYSICAL IDENTIFIERS

NAME- LAST BOYD FIRST WILLIE

NAME FLIP? N

MID EDWARD

RACE B SEX M HAIR BK EYES BR ALIAS M NICKNAME STC HT 509 511 HT 160 170 E/M E

s/m/T

MORE

DOB 071149 19 POB- CNTRY US ST MO CITY

CTZN MORE

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MORE

ADDRESS- DATE 040897 STREET 2091 VICTORY WAY LANE

AFN MORE RES EXC/STE
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MORE

CITY ST LOUIS

STATE MO CNTRY US ZIP 63138 TYPE X MORE

APT

CONTACT- ALCOHOL TOBACCO & FIREARMS

PHONE (314)425-5550

OWNER

CASE NBR 745519970012 MORE X

PRIMARY 1 ARMED & DANGEROUS START 040897 STOP 040898 QUERY NOTIFY 1 STATUS SC SUBJECT OF CURRENT INVESTIGATION

CAT

REMARKS- DAJE 040897 NEW REMARKS

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APT

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14:01 TECS II - MORE ADDRESS INFORMATION 040897

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APT DATE 040897 STREET 4652 PAGE

STATE MO CNTRY US ZIP CITY ST LOUIS

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CARE OF NAME

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14:02 TECS II - MORE CASE NUMBER INFORMATION - 040897

TECS RECORD IC

MORE

14:02

TECS II - MORE SUBJECT REMARKS

040897

040897

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DATE 082682

8TH DIST PROJECT. ARRESTED BY SLPD FOR POSSESSION OF MACHINE GUN AND NARCOTICS. 122481 CASE RPT FWD, 012882 INDICTED, 032282 FOUND GUILTY, 042682 SENT TO 6 YRS IN FED PRISON TO RUN CONSEC WITH 12 YRS REC FOR NARCOTICS DATE 082682 VIOLATION

DATE 082682

LTY. 042682 SENT TO 6 YRS IN FED PRISON TO RUN CONSEC WITH 12 YRS REC FOR NARCOTICS VIOLATION

DATE 040897

MORE

1967-ROBBERY, CITY OF ST LOUIS CRC CT: 1972-BURG & STLNG-CITY OF ST LOUIS; 1976-FELON/ADDICT POSN FIREARM ALAMEDA CA; 1980 UUW, DRUG VIOL/FTA CITY OF ST LOUIS: 1981-POSN W INTENT TO DIST COCAINE: 1981-POSN OF UNREG FIREARM MORE

14:05 TECS II - MORE ALIAS INFORMATION T I U = TECS RECORD ID CREATED BY LAST BOYD USER FIRST WILLIE MIDDLE E LAST JACKSON USER FIRST BILLY MIDDLE USER LAST JACKSON FIRST EILL' MIDOLE M LAST OSBORNE USER FIRST WILLIE MIDDLE LAST OSBORNE USER FIRST WILLIE MIDDLE EDWARD LAST MIDDLE FIRST LAST FIRST. MIDDLE LAST FIRST MIDDLE

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14:05 TECS II - MORE BIRTH INFORMATION

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CITIZENSHIP

14:06 TECS II - PERSON SUBJECT ENTRY (2 OF 3) 040897

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TECS RECORD ID ENTRY 082682 UPDATE 040897

DRIVER'S LICENSE- NUMBER STATE CNTRY TYPE

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STATUS MORE

PHONE NBR- INTL PREFIX TYPE DATE MORE

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14:07 TECS II - MORE MISCELLANEOUS NUMBERS 040897

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14:07 TECS II - PERSON SUBJECT ENTRY (3 OF 3) 040897 TID= ENTRY 082682 UPDATE 040897 TECS RECORD ID BAGGAGE DEC- DATE TIME SITE INSPECTOR MORE FINANCIAL - INSTITUTION BRANCH ACCOUNT NUMBER ACCOUNT TYPE . MORE FIN ID DATE DATE EMPLOYMENT- OCCUPATION STATUS POSITION **EMPLOYER** EIN STREET STATE CNTRY CITY MORE ZIP PHONE RATING CNTRY PILOT'S-NUMBER AIRMAN'S CERT FAA REGION ISSUE DATE LICENSE MORE MEDICAL CERT DATE MEDICAL CERT

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FM: ATF, Kansas City Field Division RE:745519-97-0012

TO: ATF, ADLE, Headquarters

ATTN: SAC, Systems Support Branch, Intelligence Division

SUBJ: Report of Use Consensual Electronic

Surveillance Equipment

(x) Final Report () Use Continuing

Name: BOYD, Willie E.

Ref: Subject Shown for This Authorization Period

Authorization to Conduct Consensual Monitoring this 30-Day Period in this Investigation was Granted by:

(X) SAC Authorization -

From

To

Following Individual(s) Conversations were Consensually Monitored on the Dates and at the Locations Described Below:

(Use T or N Code for Type)

TYPE	SUBJECT	DATES	LOCATIONS EQUIP USED
(N)	Not Used	N/A	N/A

(T)

Case Agent's Name:

SAC Authorization

SAC



COPY ENTIRE FILE JASINGS
AND MAIL TO:

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ATT DISCLOSURE DIVISION
650 MASSACHUSETTS AVE. N.N.
RM 8200
DC
WASHINGTON DC
20226-0063

ROUTING AND TRANSMITTAL SLIP					198
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Thank.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.

Phone No.

OPTIONAL FORM 41 (Rev. 1-94)

Prescribed by GSA

*U.S. Government Printing Office 1995 - 387-722/20060

Document #98
Two Pages
Exemptions
(b)(7)(c)
(b)(7)(p)
(b)(7)(F)

U.S. Department of Justice



Executive Office for United States Autorneys Freedom of Information/Privacy Act Unit 600 E Street, N.W., Room 7103 Washington, D.C. 20530 202-616-6757 Fax 202-616-6478

45 ₁	18	<i>200</i> 0
413 ⁵ 5	/ ₈	2000

Requester: Willie E. Boyd	Request Number: 99-3056
Subject of Request: Self	

Dear Requester:

Your request for records under the Freedom of Information Act/Privacy Act has been processed. This letter constitutes a reply from the Executive Office for United States Attorneys, the official recordkeeper for all records located in this office and the various United States Attorneys' Offices.

To provide you the greatest degree of access authorized by the Freedom of Information Act and the Privacy Act, we have considered your request in light of the provisions of both statutes.

The records you seek are located in a Privacy Act system of records that, in accordance with regulations promulgated by the Attorney General, is exempt from the access provisions of the Privacy Act. 28 C.F.R. 16.81. We have also processed your request under the Freedom of Information Act and are making all records required to be released, or considered appropriate for release as a matter of discretion, available to you. This letter is a [X] partial [] full denial.

The exemption(s) cited for withholding records or portions of records are marked below. An enclosure to this letter explains the exemptions in more detail.

; .	Sect	ion 552			Sect:	<u>ion 552a</u>
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[X] A review of the material revealed documents which:

[X] originated with another government component. These records were referred to the component(s) listed on the next page for review and direct response to you.

[X] are public records which may be obtained from the clerk of the court or this office, upon specific request, subject to a copying fee.

have been provided to you with the 18st of downents responsive to your lequest.

(Approximately 2070 pages)

the

; :

Appendix A-2

[X] See additional information below.

	copying, \$_			
being assessed	for the processing	of your request.	. Please send	a certified
	order for \$			
	thirty (30) days.			
Information Ac	t/Privacy Act Unit,	Room 7100, BICN	Bldg., Washing	ton, DC 20530.

This is the final action this office will take concerning your request.

You may appeal my decision to withhold records in this matter by writing within 60 days, to:

Office of Information and Privacy United States Department of Justice Flag Building, Suite 570 Washington, D.C. 20530

Both the envelope and letter of appeal must be clearly marked "Freedom of Information Act/Privacy Act Appeal."

After the appeal has been decided, you may have judicial review by filing a complaint in the United States District Court for the judicial district in which you reside or have your principal place of business; the judicial district in which the requested records are located; or in the District of Columbia.

Sincerely,

Suzanne Little Assistant Director

FOIA/PA Unit

Enclosure(s)

Documents which originated with the Federal Bureau of Investigation,

Social Security Administration, Internal Revenue Service, United

States Marshals Service and the Bureau of Alcohol, Tobacco and

Firearms were referred to them for their review and processing.

Form No. 021A - 1/99



U.S. Department of Justice

United States Attorney Eastern District of Missouri

Gary M. Goertner, Jr. Assistant United States Attorney

U.S. Court and Custom House 1114 Market Street, Room 401 St. Louis, Missouri 63101

Direct Line (314)-539-6856 Office (314) 539-2200 Fax (314)-539-2309

April 15, 1998

Hand-Delivered Mr. Carl Epstein Attorney At Law

Re: Willie Boyd

Dear Mr. Epstein:

I have also provided you with in the trial of United States v. Byron James Miller, 4:96CR365 CDP which you indicated to me in Court the other day that you previously reviewed a copy, but you left your copy in Indianapolis. I have also included. .6]C_....__ 670 Grand Jury testimony

20 have also included a copy of Agent 97 and a copy of

670

: report dated 10-9-

670

and

RIP

670 referenced in the report of

Respectfully submitted,

EDWARD L. DOWD, JR. United States Attorney

GARY M. GAERTNER, JR.
Assistant United States Attorney

Eastern District of Missouri United States Attorney

દ્ભારા-**૯૬૬-(૪૧૯) ≈≈**ન 00ZZ-6ES (FTE) #9\$O DIMORETIMO (314)-230-6826

St Louis Missouri 63101 1114 Montes Street, Room 401 U.S. Court and Custom House

Veryott A States Attorney Garyld, Goormer, Jr.

ybril is' 1888

Actorney At Law Mr. Carl Epstein Hand-Delivered

Re: Willie Boyd

Dear Mr. Epstein:

Willie E. Boyd, S1-4:97CR301 SNL. byd byd in the united states 019: After October 2, 1997 date, the United States Government BOAG' ST-4:61CB30T SNI" involving the case of United States v. Willie E. 019 OL9 PLA 019 019 On October 2, 1997,

The Government 25

01.9 The Government has provided

Wille E. Boyd, S1-4:97CR301. redergrud the case of <u>united</u>

Respectfully submitted,

United States Attorney EDMARD L. DOWD, JR.

Assistant United States Attorney GARY M. GAERTNER, JR.



DEPARTMENT OF THE TREASURY BUREAU OF ALCOHOL, TOBACCO AND FIREARMS WASHINGTON, DC 20226

REFER TO: 00-311, 00-1470 and 00-1670 122000

Mr. Willie E. Bòyd Reg. No. 18498-044 P.O. Box 5000, 3-A Greenville, Illinois 62246

OCT 18 2000

Dear Mr. Boyd:

This is in response to your Freedom of Information Act (FOIA) request for access to information maintained at the Bureau of Alcohol, Tobacco and Firearms (ATF).

Please find enclosed a release relating to our review of previously processed documents and a second search. The additional FOIA exemptions of (b)(3)(A) in conjunction with rule of criminal procedure 6 and (b)(5) apply to previously processed documents. Please be advised that the portion of this release, regarding new documents, numbers 78 through 84, is granted in part. Deletions have been made on this portion of the release. The reasons for the deletions are explained on the Document Cover Sheet included with this portion of the release.

Further, this release is numbered as follows:

- Previously released pages will contain the previous document number in a circle. A square will contain the current document number. Preceding the square either a one, two or three with a dash following will appear. One indicates ATF's first release. Two indicates ATF's second release, which was a referral from the Executive Office of United States Attorneys (EOUSA). Three indicates ATF's third release, which was a referral from the United States Marshals Service.
- Documents not previously processed, have only the current document number.

Appendix A-3

• Documents appearing to be the same, have the same previous document number and a letter following are duplicates. These duplicates are being released, because one may have something that the other does not.

Please note that your administrative appeal rights for this release appear on the Document Cover Sheet enclosed.

Sincerely yours,

Melissa Blevins

Disclosure Specialist

Enclosure

	POCUME	Nicoonarchaetheannoch	DAPREAL RIGHTS
	er i de en manten en e		
1.	Requesters name Willie Boyd	2 File nos. 00-311, 00-1470 and	3. Requested documents were referred by the following agency:
4.	Documents are being released:	5. Package ends with document no.:	6. Total no. of documents denied:
	[] at cost · [] without cost	85	1
7.		withheld on pages released; (See Part II of explanation	on of exemptions)
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		(B) (J(b)(7)(C) (1(b)(7)(D) (1(b)	
8.	Documents completely withheld:		
9.	Document no. — Exemption 84 (b)(b), (b)(The records identified above have be available upon payment of 15 cents p	Document no. — Exemption 4X4), (bX4)(D) and (b)(4)(F) en determined to be most directly responsive to your repage (or at no cost if a fee waiver has been granted)	equest. Other records, described below, are
	repetitive information that restates informa	formation contained in the package being released. A vailable upon request:	sample or index of these records is included in this No. of pages:
•	(d) Property Disposition records (e) Newspaper or magazine and (f) Miscellaneous (See sample	s (See sample page) ticles (See sample page)	-

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DEPARTMENT (TREASURY BUREAU OF ALCOHOL, TOBACCO AND FIREARMS REPORT OF EXPENDITURES

(For Investigative Purposes)

INVES ! INUMBER

745519 97 0012

TO·

AGENT CASHIER

ELPLAU UT ALCOHOL, TOBACCO AND FIREARMS

KANISAS CITY FIELD DIVISION

SUB-VOUCHER NUMBER

		ITEMIZATION	
	EXPL	LANATIONOFEXPENDITURE	
DATE	(Explain exact nature of EXPEND including persons	NTURE and results achieved; describe evidence purchased, s involved and any other pertinent remarks.)	AMOUNT EXPENDED
10/2/97	+		\$300.00

SIA (RECEIPT ATTACHED)

TOTAL OF ALL AGENT CASHIER EXPENDITURE TO DATE

MARCO HAMMES BADOW Son

IVISOR OR RESIDENT AGENT IN CHARGE (neviewed by)

59

1-1291

AMOUNT

SPECIAL AGENT ILLUMA

SPECIAL AGENT

10/16/97

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DEPARTMENT OF THE TREASURY					
DAVMENT OF		, TOBACCO AND FIREARM			
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DEPARTMENT OF - TREASURY BUREAU OF ALCOHOL, TO BACCO AND FIREARMS REQUEST FOR ADVANCE OF FUNDS

(For Investigative Purposes)

7465.9 97 0012

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TO:

AGENT CASHIER PUREAU OF ALCOHOL, TOBACCO AND FIDEARMS 1/11/2 C/11/

__,FIELU UIVISION

SUB-VOUCHERNUMBER

INVESTIC . NNUMBER

PARTI-GENERALINFORM	MATION
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SUSPECTS NAME AND ADDRESS (Street, city, State and zip code)

WILLIE E. BOYD VICTORY WAY LANE

FUNDS ARE REQUESTED DIRECTLY FROM (Check one)

SUBCASHIER

HQ CASHIER (Chief)

FUNDS INTENDED USE

FIREARMS TITLE I/TITLE II

0US, MO:

SILENCERS MACHINEGUNS STOLEN FIREARMS RIFLES / SHOTGUNS PISTOLS/REVOLVERS

SHORT BARREL FIREARMS OTHER (Explain)

EXPLAIN/JUSTIFICATION

ARSON/EXPLOSIVES

ARSON HIGH EXPLOSIVES LOW EXPLOSIVES **BLASTING AGENTS** DESTRUCTIVE DEVICE

ILLEGAL EXPLOSIVE DEVICE OTHER (Explain)

INFORMANT/ INVESTIGATIVE

INVESTIGATIVE EXPENSE **PURCHASE INFORMATION** INFORMANT SUBSISTENCE

NRT SUPPORT PEN REGISTER TITLE III

OTHER (Explain)

CONTROLLED SUBSTANCE

HEROIN COCAINE

CRACK COCAINE

MARIJUANA METHAMPHETAMINE ALCOHOL/TOBACCO

OTHER (Explain)

PARTII-SUB CASHIER FUNDS REQUES : AND APPROVAL

In connection with the above investigation, I request that	an advance of funds,	in the sum of \$	300,00
be issued to me by the sub cashier to be used for	expenditures,	•	•
·			

SPECIAL AGENT	DATE	TOTAL FUNDS EXPENDED IN THE CASE TO DATE	··
	10/1/97	s - 0 -	
SENT IN CHARGE	DATE	AMOUNT APPROVED (Write out)	\$
-	1, - 1 - 1	THERE In west dinks and " fee "	<u></u>
	- DISBURSEM	ENT/RECEIPT OF FUNDS	
SUB CASHIER OR ALTERNATE :	DATE	AMOUNT DISBURSED (Write out)	\$
	10/1/99	AMOUNT RECEIVED (With out)	ه <u>د این در د در د</u>
 -	DATE	AMOUNT RECEIVED (Write out)	\$
	10/1/00	Tower Human AND NOW	2/24
PARTIV-RI	TURN OF FU	NDS AND/OR EXPENDITURE	
RECEIPT OF FUNDS (Signature of sub cashier/Alternate)	DATE	AMOUNT OF FUNDS RETURNED (Write out)	\$
SPECIAL AGENT SIGNATURE	DATE	AMOUNT OF FUNDS EXPENDED	\$
	11/2/95	(Wite out) THICK TO MIT YELD AND WITH	3,26,5
PARTV-FLA	SHRÓLLS/EM	ERGENCY EXPENSE FUNDS	
SPECIAL AGENT IN CHARGE (Reviewed by)		1-/31	DATE

CHIEF, SPECIAL OPERATIONS DIVISION (Approved by)

61

DATE

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

WILLIE BOYD,)
Plaintiff,)
v.) Civil Action No. 99-2712 (JR)
UNITED STATES MARSHALS SERVICE, et al.,	
Defendants.	.)

DEFENDANT ATF'S MOTION FOR AN ENLARGEMENT OF TIME

The defendant, the Bureau of Alcohol, Tobacco, and Firearms ("ATF"), by and through counsel, respectfully moves this Court pursuant to Rule 6(b)(1), Fed. R. Civ. P., to enlarge the time for the agency to file its renewed motion for summary judgment. Specifically, the defendant ATF moves this Court to enlarge the time from the current deadline of April 30, 2002 to May 17, 2002. This is the defendant's first request for additional time for this deadline. The grounds for this motion are set forth below.

Plaintiff challenges the defendant ATF's response to his request made under the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA"). On March15, 2002, the Court denied defendant ATF's motion for summary judgment and directed ATF to supplement the information provided to the Court on the reasonableness of the search it conducted, its reliance on Exemption 5, and certain issues relating to segregability. Although defendant ATF has been gathering information to submit to the Court since shortly after March 15, 2002, the agency reasonably anticipates that it will require some additional time beyond the April 30, 2002 deadline set by the Court. In reviewing its responses to plaintiff in connection with preparing a declaration supporting its

renewed motion, the agency discovered a work file containing approximately 1,000 pages of material that, as of the filing of this motion, appears to include approximately 350 pages which are not duplicates of the material already produced to plaintiff. These documents are being reviewed and processed for release to plaintiff. The defendant ATF will provide an appropriate declaration with its renewed motion concerning the location of the file and the documents ultimately released to plaintiff. Undersigned counsel has been informed by the agency that the file was located in the office of the case agent in St. Louis who worked on plaintiff's criminal case and maintained a personal file which was not required to be part of the agency's official case file. Although the agent was contacted during the agency's initial search for responsive documents, he did not then understand that his work file needed to be disclosed. When the agent was contacted in regard to verifying the search in connection with the defendant's motion for summary judgment, this misunderstanding was discovered and the agency immediately began processing the file.

The defendant ATF anticipates completing its processing around May 1, 2002. After that, an appropriate <u>Vaughn</u> index will need to be prepared for any withholdings in these additional documents. Once all of the necessary information is transmitted to undersigned counsel, some additional time will be needed to prepare a motion. After consultation with agency personnel, undersigned counsel believes that the slightly more than two weeks requested in this motion will be sufficient time. Counsel is aware of the age of this case and will endeavor to serve the best interests of judicial economy and the parties by providing information promptly.

Counsel for the defendant ATF did not consult with the plaintiff prior to filing this motion for enlargement because the plaintiff is incarcerated and proceeding pro se in this matter.

WHEREFORE, based on the foregoing, the defendant ATF respectfully requests that the time for filing its renewed motion for summary judgment be extended to and including May 17, 2002. A draft order is attached.

Dated: April 24, 2002.

Respectfully submitted,

ROSCOE C. HOWARD, JR., DC Bar 246470

United States Attorney

MARK E. NAGLE, DC Bar #416364

Assistant United States Attorney

JANE M. LYONS, DC Bar #451737

Assistant United States Attorney

Judiciary Center Building

555 Fourth Street, N.W. - Room 10-415

Washington, D.C. 20530

(202) 514-7161

low, Barry S.

/rom:

Green, James M.

Sent:

Monday, April 08, 2002 4:24 PM

/To:

Orlow, Barry S.

Subject:

RE: Willie Boyd Lawsuit

Barry,

Original work file is being sent via Fed Ex. I do NOT have copies of any other documents relative to this case. Theed the work files sent back to me after you copy or no longer have a need.

Address:

1222 Spruce Street, Rm 6-205 St. Louis, MO 63103-2818

Thanks,

Jim Green

St. Louis I Field Office
(314) 539-7448 - Direct
(314) 539-7995 - Fax

----Original Message---

From:

Orlow, Barry S.

Sent:

Monday, April 08, 2002 8:58 AM

To: Subject: Green, James M. RE: Willie Boyd Lawsuit

Jim-tappreciate all of your help. I will need a copy of your work file ASAP. Please Fed Ex it to me (I can give you our number if necessary) While you are correct that most, if not all, of the information would not be released, we still have to process it for FOIA and for the litigation. Call with any questions. Thanks again

Barry Orlow
Deputy Associate Chief Counsel
(Disclosure, Forfeiture and Criminal Law)
phone (202) 927-5137
fax (202) 927-6116
pager 888-509-5954

--- Original Message----

From: Green, James M. .

Sent: Wednesday, April 03, 2002 10:41 AM

To: Orlow, Barry S. Subject: RE: Willie Boyd Lawsuit

Barry,

My work files consist of the following materials (approximately 150-200 pages):

Photos of evidence, evidence receipts, photo lineup, FINCEN reports, rer Boyd and Sharon Troupe, copies of litigation in this matter, copy of Eighth Circuit Court of Appeals decision, U.S. Marshals Service Reports (Investigative, property, etc), police reports, credit information, subpoena information, apartment rental agreements, copies of Boyd's convictions, Albert Greer ROI, interview notes, Western Union information, tape transcriptions, threat memorandums, US Attorney News Release, Sentencing notes, requests for convictions, pen packs, gun trace information, criminal history records, electronic surveillance and agent cashier requests. Additionally, there are some miscellaneous papers relative to my investigation.

I don't believe that any of the aforementioned materials should be subject to this FOIA request. It is work product and its release could be detrimental to future investigations. In short, it shows how we go about investigating people which would only make it more difficult for us.

Appendix A-5