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 Vaughn 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. /mc

ROSCOE C. HOWARD, JR., DC Bar 246470
United States Attorney

Mark E. Nagle /mc

MARK E. NAGLE, DC Bar #416364
Assistant United States Attorney

Jane M. Lyons

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

# Secret-File
# BATF Case
# File #02-1078

# Pages 1-387

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

MAY 13 2002 REFER TO: 02-1078
122000

Mr. Willie E. Boyd
Reg. No. 18498-044
100 U.S. Highway 40
P.O. Box 4000
Greenville, Illinois 62246

Dear Mr. Boyd:

While searching for the requested interview, the Bureau of Alcohol, Tobacco and Firearms located additional documents. Please find enclosed the releasable portions of those documents.

Sincerely yours,

Melissa Blevins
Disclosure Specialist

Enclosure

## DOCUMENT COVER SHEET: EXEMPTIONS LIST AND APPEAL RIGHTS

PART I–Document Cover Sheet

| 1. Requesters Name | 2. File Number | 3. Requested documents were referred by the following agency: |
|---|---|---|
| Willie Boyd | 02-1078 | N/A |
| **4. Documents are being released:** [ ] at cost [ ] without cost | **5. Package ends with document #:** 387 | **6. Total # of documents denied:** 12 (162 pgs. total) |

7. Exemptions cited for information Blackened-out on pages released: (See Part II for explanation of exemptions)

[✓](b) (2) [✓](b) (3) Crim. Pro. Rule 6e [✓](b) (4) [✓](b) (5) [ ] (b) (6)

[ ] (b) (7) (A) [ ] (b) (7) (B) [✓](b) (7) (C) [✓](b) (7) (D) [ ] (b) (7) (E) [✓](b) (7) (F)

Referrals Referenced in Documents

8. Documents completely withheld:

| Document # — Exemption | Document # — Exemption | Document # — Exemption |
|---|---|---|
| 22 b3 w/ 6e - 1 pg. | 167 b7C, b7D, b7F - 2 pgs. | 265 b2, b7C - 2 pgs. |
| 62 b3 w/ 6e - 63 pgs. | 174 b7C, b7D, b7F - 4 pgs. | 269 b5 - 1 pg. |
| 79 b7C, b7D, b7F - 2 pgs. | 192 b7C - 1 pg. | 333 b3 w/ 6e - 5 pgs. |
| 84 b2, b7C, b7D, b7F - 71 pgs. | 258 b5 - 3 pgs. | 343 b2, b7C - 7 pgs. |

9. The records identified above have been determined to be most directly responsive to your request. Other records, described below, are available upon payment of 20 cents per page (or at no cost if a fee waiver has been granted). These records generally consist of duplicated or repetitive information that restates information contained in the package being released. A sample or index of these records is included in this release. The following records are available upon request:

| | Number of pages: |
|---|---|
| (a) Exhibits to Report (See index on page _____) | _____ |
| (b) Surveillance Reports (See sample page _____) | _____ |
| (c) Interagency Telegrams and Messages (See sample page _____) | _____ |
| (d) Property Disposition records (See sample page _____) | _____ |
| (e) Newspaper or magazine articles (See sample page _____) | _____ |
| (f) Miscellaneous (See sample page _____) | _____ |
| (g) Various _____ _____ | 592 pages |

Note: To obtain copies of these records, identify which records you want, count the pages and multiply by 20 cents. Send check or money order payable to Bureau of Alcohol, Tobacco and Firearms (BATF) and mail to Chief, Disclosure Division, ATF, 650 Massachusetts Avenue, Room 8400 Washington, D. C. 20226. Request promptly for best service, as files are returned to field offices 15 days after this notice is mailed to you.

(Part II and Part III on reverse side)

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

V.

WILLIE E. BOYD

## SUBPOENA

CASE NUMBER: S1-4:97CR00301 SNL

| TYPE OF CASE | SUBPOENA FOR |
|---|---|
| ☐ CIVIL ☒ CRIMINAL | ☒ PERSON ☒ DOCUMENT(S) or OBJECT(S) |

TO: Det. DSN

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

| PLACE | COURTROOM |
|---|---|
| U.S. Court & Custom House<br>1114 Market Street<br>St. Louis, MO. 63101 | Judge Limbaugh - 3rd floor |
| | DATE AND TIME<br>April 13, 1998 - 9:00 a.m. |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

Upon receipt of this subpoena, please call for the date and time you are to testify.

(1)

☐ *See additional information on reverse*

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| U.S. MAGISTRATE OR CLERK OF COURT | DATE |
|---|---|
| Robert D. St. Vrain | January 14, 1998 |
| (BY) DEPUTY CLERK | |

This subpoena is issued upon application of the:

☐ Plaintiff ☐ Defendant ☒ U.S. Attorney

QUESTIONS MAY BE ADDRESSED TO:
Gary M. Gaertner, Jr.
Assistant United States Attorney
1114 Market Street, Rm. 401
St. Louis, MO 63101 (314/539-
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER

*If not applicable, enter "none."

To be used in lieu of AO89

FORM OBD-226

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA
V.

WILLIE E. BOYD

## SUBPOENA

CASE NUMBER: S1-4:97CR00301 SNL

| TYPE OF CASE | SUBPOENA FOR |
|---|---|
| ☐ CIVIL ☒ CRIMINAL | ☒ PERSON ☒ DOCUMENT(S) or OBJECT(S) |

TO:
Det. DSN

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

| PLACE | COURTROOM |
|---|---|
| U.S. Court & Custom House<br>1114 Market Street<br>St. Louis, MO. 63101 | Judge Limbaugh - 3rd floor |
| | DATE AND TIME<br>April 13, 1998 - 9:00 a.m. |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

Upon receipt of this subpoena, please call for the date and time you are to testify.

(2)

☐ *See additional information on reverse*

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| U.S. MAGISTRATE OR CLERK OF COURT | DATE |
|---|---|
| Robert D St. Vrain<br>(BY) DEPUTY CLERK | January 14, 1998 |

This subpoena is issued upon application of the:

☐ Plaintiff ☐ Defendant ☒ U.S. Attorney

QUESTIONS MAY BE ADDRESSED TO:
Gary M. Gaertner, Jr.
Assistant United States Attorney
1114 Market Street, Rm. 401
St. Louis, MO 63101 (314/53[illegible]
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER

*If not applicable, enter "none."

To be used in lieu of AO89

FORM OBD-226

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

V.

WILLIE E. BOYD

## SUBPOENA

CASE NUMBER: S1-4:97CR00301 SNL

| TYPE OF CASE | SUBPOENA FOR |
|---|---|
| ☐ CIVIL ☒ CRIMINAL | ☒ PERSON ☒ DOCUMENT(S) or OBJECT(S) |

TO:

DSN

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

| PLACE | COURTROOM |
|---|---|
| U.S. Court & Custom House<br>1114 Market Street<br>St. Louis, MO. 63101 | Judge Limbaugh - 3rd floor |
| | DATE AND TIME<br>April 13, 1998 - 9:00 a.m. |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

Upon receipt of this subpoena, please call for the date and time you are to testify.

(3)

☐ *See additional information on reverse*

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| U.S. MAGISTRATE OR CLERK OF COURT | DATE |
|---|---|
| Robert D. St. Main | January 14, 1998 |
| (BY) DEPUTY CLERK | |

This subpoena is issued upon application of the:

☐ Plaintiff ☒ Defendant ☒ U.S. Attorney

QUESTIONS MAY BE ADDRESSED TO:
Gary M. Gaertner, Jr.
Assistant United States Attorney
1114 Market Street, Rm. 401
St. Louis, MO 63101 (314/539
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER

* If not applicable, enter "none."

To be used in lieu of AO89

FORM OBD-226

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA
V.

WILLIE E. BOYD

## SUBPOENA

CASE NUMBER: S1-4:97CR00301 SNL

| TYPE OF CASE | SUBPOENA FOR |
|---|---|
| ☐ CIVIL ☒ CRIMINAL | ☒ PERSON ☒ DOCUMENT(S) or OBJECT(S) |

TO:

DSN

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

| PLACE | COURTROOM |
|---|---|
| U.S. Court & Custom House<br>1114 Market Street<br>St. Louis, MO. 63101 | Judge Limbaugh - 3rd floor |
| | DATE AND TIME<br>April 13, 1998 - 9:00 a.m. |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

Upon receipt of this subpoena, please call for the date and time you are to testify.

4

☐ *See additional information on reverse*

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| U.S. MAGISTRATE OR CLERK OF COURT | DATE |
|---|---|
| Robert D. St. Vrain | January 14, 1998 |
| (BY) DEPUTY CLF | |

This subpoena is issued upon application of the:

☐ Plaintiff ☐ Defendant ☒ U.S. Attorney

QUESTIONS MAY BE ADDRESSED TO:
Gary M. Gaertner, Jr.
Assistant United States Attorney
1114 Market Street, Rm. 401
St. Louis, MO 63101 (314/53
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER

*If not applicable, enter "none."

To be used in lieu of AO89

FORM OBD-226

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

V.

WILLIE E. BOYD

## SUBPOENA

CASE NUMBER: S1-4:97CR00301 SNL

| TYPE OF CASE | SUBPOENA FOR |
|---|---|
| ☐ CIVIL ☐ CRIMINAL | ☐ PERSON ☐ DOCUMENT(S) or OBJECT(S) |

TO: Det. DSN

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

| PLACE | COURTROOM |
|---|---|
| U.S. Court & Custom House<br>1114 Market Street<br>St. Louis, MO. 63101 | Judge Limbaugh - 3rd floor |
| | DATE AND TIME<br>April 13, 1998 - 9:00 a.m. |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

Upon receipt of this subpoena, please call for the date and time you are to testify.

(5)

☐ *See additional information on reverse*

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| U.S. MAGISTRATE OR CLERK OF COURT | DATE |
|---|---|
| [signature] | January 14, 1998 |
| (BY) DEPUTY CLERK | |

This subpoena is issued upon application of the:

☐ Plaintiff ☐ Defendant ☒ U.S. Attorney

QUESTIONS MAY BE ADDRESSED TO:
Cary M. Gaertner, Jr.
Assistant United States Attorney
1114 Market Street, Rm. 401
St. Louis, MO 63101 (314/539-
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER

*If not applicable, enter "none."

To be used in lieu of AO89

FORM OBD-226

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

V.

WILLIE E. BOYD

## SUBPOENA

CASE NUMBER: S1-4:97CR00301 SNL

| TYPE OF CASE | SUBPOENA FOR |
|---|---|
| ☐ CIVIL ☐ CRIMINAL | ☐ PERSON ☐ DOCUMENT(S) or OBJECT(S) |

TO:
Det. DSN

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

| PLACE | COURTROOM |
|---|---|
| U.S. Court & Custom House<br>1114 Market Street<br>St. Louis, MO. 63101 | Judge Limbaugh - 3rd floor |
| | DATE AND TIME<br>April 13, 1998 - 9:00 a.m. |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

Upon receipt of this subpoena, please call for the date and time you are to testify.

(6)

☐ *See additional information on reverse*

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| U.S. MAGISTRATE OR CLERK OF COURT | DATE |
|---|---|
| Robert D. St. Vrain<br>(BY) DEPUTY CLERK | January 14, 1998 |

This subpoena is issued on application of the:

☐ Plaintiff ☐ Defendant ☒ U.S. Attorney

QUESTIONS MAY BE ADDRESSED TO:
Gary M. Gaertner, Jr.
Assistant United States Attorney
1114 Market Street, Rm. 401
St. Louis, MO 63101 (314/539-
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER

*If not applicable, enter "none."

To be used in lieu of AO89

FORM OBD-226

## RETURN OF SERVICE[1]

| | | |
|---|---|---|
| RECEIVED BY SERVER | DATE | PLACE |
| SERVED | DATE | PLACE |

| | |
|---|---|
| SERVED ON (NAME) | FEES AND MILEAGE TENDERED TO WITNESS[2] ☐ YES ☐ NO AMOUNT $ _____ |
| SERVED BY | TITLE |

## STATEMENT OF SERVICE FEES

| TRAVEL | SERVICES | TOTAL |
|---|---|---|
| | | |

## DECLARATION OF SERVER[2]

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____ _____
*Date* *Signature of Server*

_____
*Address of Server*

ADDITIONAL INFORMATION

RELEASED FOR PRODUCTION

(1) As to who may serve a subpoena and the manner of its service see Rule 17(d), Federal Rules of Criminal Procedure, or Rule 45(c), Federal Rules of Civil Procedure.

(2) "Fees and mileage need not be tendered to the deponent upon service of a subpoena issued on behalf of the United States or an officer or agency thereof (Rule 45(c), Federal Rules of Civil Procedure; Rule 17(d), Federal Rules of Criminal Procedure) or on behalf of certain indigent parties and criminal defendants who are unable to pay such costs (28 USC 1825, Rule 17(b) Federal Rules of Criminal Procedure)".

# ATTACHMENT TO SUBPOENA

Upon receipt of your subpoena please contact the Victim Witness Coordinator if you are traveling from out-of-town. Witnesses should also check to see if their attendance is required one day prior to leaving by calling:

Victim/Witness Coordinator
8:30 a.m. - 5:00 p.m. - (314) 539- or 1-800-214-
Voice Mail Message (24 hours) - (314) 539-2227

NOTE: **These procedures do not apply to Expert Witnesses or Government and Military employees. If you are an Expert Witness or Government or Military employee, please call the U.S. Attorney's Office upon receipt of a subpoena.**

Upon arrival at the U.S. Attorney's Office/Drug Task Force or after testifying, witnesses should see the receptionist to obtain the necessary paperwork for reimbursement purposes.

FEES/ALLOWANCES

1. Witnesses receive a $40 fee for each required day of attendance or travel.

2. Local witnesses driving their private vehicle will receive reimbursement for mileage at a rate of thirty-one cents per mile, and parking expenses with a receipt. Mileage is determined by the U.S. Marshal.

3. The Victim/Witness Coordinator will make travel arrangements for out-of-town witnesses. A prepaid airline ticket will be available for pickup at the airline ticket counter upon departure. Witnesses driving their private vehicle rather than flying will receive mileage at the rate of thirty-one cents per mile or the cost of a govt airline ticket, whichever is more economical. The cost of a rental car is not reimbursable.

4. Transportation from the St. Louis Airport and Hotel/U.S. Attorney's Office: Between 6:50 a.m. and 10:30 p.m. you may purchase a ticket for Airport Express ($10 one way/$15 round trip) which stops at the hotels in the downtown area. Before 6:30 a.m. and after 10:30 p.m., witnesses may travel by taxi at a cost of approximately $25. Another limited manner of transportation is MetroLink ($1.00). MetroLink's closest stop is at 8th & Pine, approximately six blocks from the U.S. Attorney's Office.

5. Hotel accommodations for witnesses required to remain overnight will be arranged by the Victim/Witness Coordinator. Room charges only will be automatically billed to the U.S. Attorney's Office. **Upon checking out, witnesses are responsible for any miscellaneous items (food, telephone, movies, extra person, etc.) charged to your room.**

6. Witnesses required to remain overnight will receive a Meals & Incidentals allowance of $21.00 for travel days and $42.00 per day for full days at court in St. Louis as indicated by examples below:

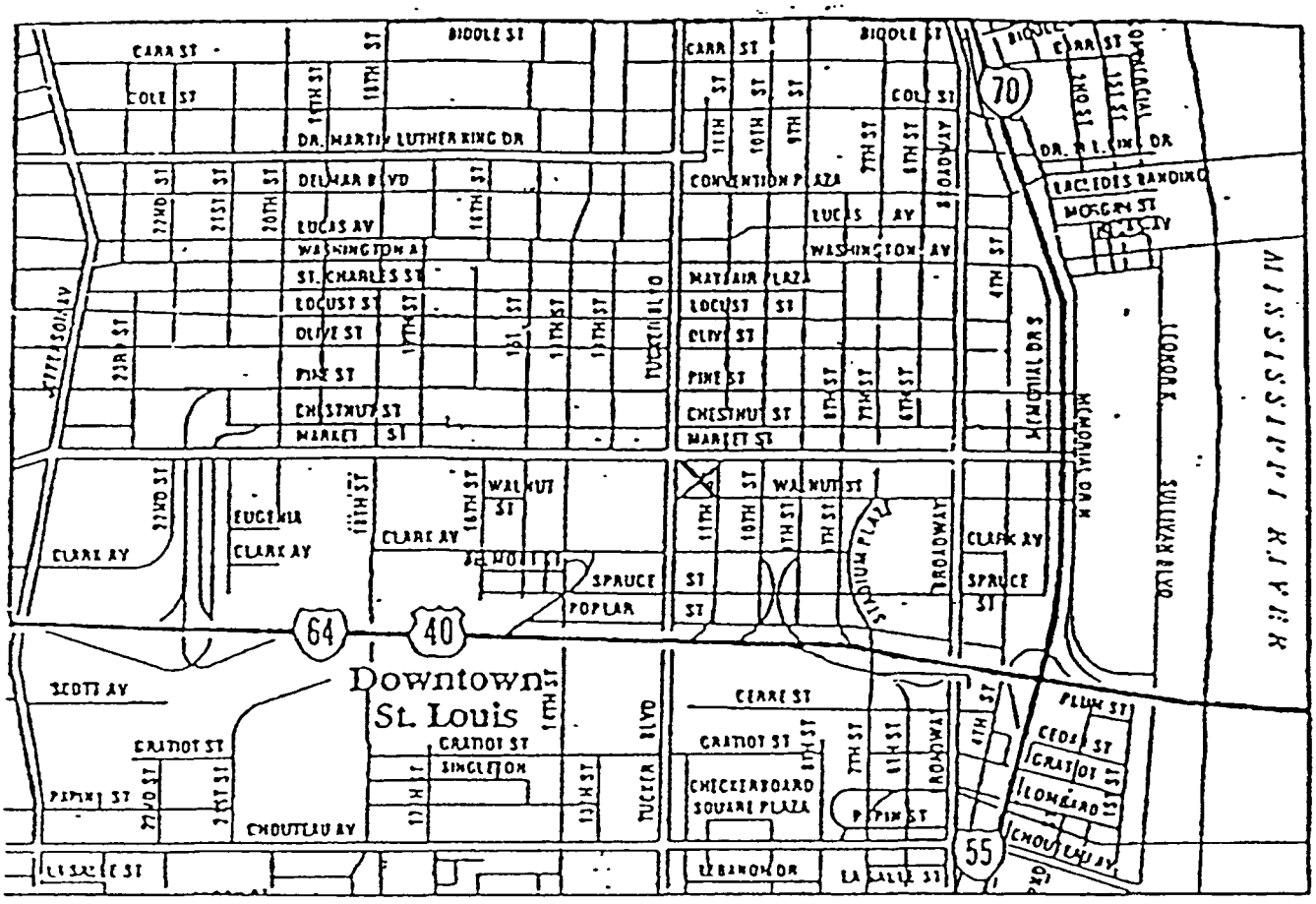
Mon.(travel/pretrial)-$21.00
Tues.(court/travel)-$21.00

(4)

Mon.(travel/pretrial)-$21.00
Tuesday (court) -$42.00
Wednesday (travel) - $21.00

**ORIGINAL RECEIPTS ARE REQUIRED FOR REIMBURSEMENT OF ALL PARKING EXPENSES. ORIGINAL RECEIPTS ARE REQUIRED FOR REIMBURSEMENT OF ANY EXPENSE OVER $25.00.**

01/97




U. S. Attorney's Office (See "X")
1114 Market St., Rm. 401
St. Louis, MO 63101
(314) 539-2200

Organized Crime Drug Enf. Task Force (See "X")
1114 Market St., Rm. 421
St. Louis, MO 63101
(314) 539-2200

Drury Inn-Union Station
201 South 20th St.
St. Louis, MO 63103
(314) 231-3900
(Market St. to 20th St. - go South approx. 1 block)

Drury Inn-Gateway Arch
711 N. Broadway
St. Louis, MO 63102
(314) 231-8100
(Convention Plaza & Broadway-Broadway is one-way going North)

Marriott Pavilion Hotel
One Broadway
St. Louis, MO 63102
(314) 421-1776
(Market & Broadway Streets-Broadway is one-way going South)

Embassy Suites
901 North First St.
St. Louis, MO 63102
(314) 241-4200
(1st St. & Dr. M.L. King Dr.)

Hampton Inn
2211 Market St.
St. Louis, MO 63103
(314) 241-3200
(22nd & Market Streets)

Regal Riverfront Hotel
200 South 4th St.
St. Louis, MO 63102
(314) 241-9500
(4th & Walnut Streets - 4th Street is one-way going North)

Holiday Inn-Riverfront
4th & Pine
St. Louis, MO 63102
(314) 621-8200
(4th & Pine - 4th St. is one-way going North)

Holiday Inn-Convention Plaza
811 N. 9th Street
St. Louis, MO 63101
(314) 421-4000
(9th St. is one-way going North)

Doubletree Mayfair Suites
806 St. Charles
St. Louis, MO 63101
(314) 421-2500
(8th St. & St. Charles)

Days Inn at Arch
333 Washington Ave
St. Louis, MO 63102
(314) 621-7500

Adams Mark
Fourth & Chestnut
St. Louis, MO 63102
(314) 241-7400

Hyatt Regency
Union Station
St. Louis, MO 63103
(314) 231-1234

RELEASED IN FULL

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

V.

WILLIE E. BOYD

## SUBPOENA

CASE NUMBER: 4:97CR00301 SNL

TYPE OF CASE: ☐ CIVIL ☒ CRIMINAL

SUBPOENA FOR: ☒ PERSON ☒ DOCUMENT(S) or OBJECT(S)

TO:

St. Louis Police Department

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

| PLACE | COURTROOM |
|---|---|
| United States Court & Custom House<br>1114 Market Street<br>St. Louis, MO 63101 | Judge Limbaugh - 3rd floor |
| | DATE AND TIME<br>April 13, 1998 - 9:00 a.m. |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

Upon receipt of this subpoena, please call for the date and time you are to testify.

10

☐ *See additional information on reverse*

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| U.S. MAGISTRATE OR CLERK OF COURT | DATE |
|---|---|
| Robert D. St. Vrain | 1/14/98 |
| (BY) DEPUTY CLERK | |

This subpoena is issued upon application of the:

☐ Plaintiff ☐ Defendant ☒ U.S. Attorney

QUESTIONS MAY BE ADDRESSED TO:
Gary M. Gaertner, Jr.
Assistant U.S. Attorney
1114 Market Street, Room 401
St. Louis, MO. 63101 (314/539
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER

*If not applicable, enter "none."

To be used in lieu of AO89

FORM OBD-226
JAN. 86

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

V.

WILLIE E. BOYD

**SUBPOENA**

CASE NUMBER: 4:97CR00301 SNL

TYPE OF CASE ☐ CIVIL ☒ CRIMINAL

SUBPOE... ☒ DOCUMENT(S) or OBJECT(S)

TO:

St. Louis Police Depart.

4 4 11

YOU ARE HEREBY COMMANDED to ap... States District Court at the place, date, and time specified below to testify in the above case.

| PLACE | COURTROOM |
|---|---|
| United States Court & Custom House<br>1114 Market Street<br>St. Louis, MO 63101 | Judge Limbaugh - 3rd floor |
| | DATE AND TIME<br>April 13, 1998 - 9:00 a.m. |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

Upon receipt of this subpoena, please call for the date and time you are to testify.

11

☐ *See additional information on reverse*

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| U.S. MAGISTRATE OR CLERK OF COURT | DATE |
|---|---|
| Robert D. St. Vrain | 1/14/98 |
| (BY) DEPUTY CLERK | |

This subpoena is issued u... application of the:

☐ Plaintiff ☐ Defendant ☒ U.S. Attorney

QUESTIONS MAY BE ADDRESSED TO:
Gary M. Gaertner, Jr.
Assistant U.S. Attorney
1114 Market Street, Room 401
St. Louis, MO. 63101 (314/53
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER

*If not applicable, enter "none."

...be used in lieu of AO89

...JAN. 90

## RETURN OF SERVICE[1]

| | | |
|---|---|---|
| RECEIVED BY SERVER | DATE | PLACE 1114 MARKET ST LOUIS MO |
| SERVED | DATE 3/20/98 | PLACE ST LOUIS MO |
| SERVED ON (NAME) (VIA FAX) | FEES AND MILEAGE TENDERED TO WITNESS[2] ☐ YES ☐ NO AMOUNT $ | |
| SERVED BY SA | TITLE SPECIAL AGENT - ATF | |

## STATEMENT OF SERVICE FEES

| TRAVEL | SERVICES | TOTAL |
|---|---|---|
| | | |

## DECLARATION OF SERVER[2]

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 3/20/98
*Date*

*Sign ...ver*

1722 SPR
*Address of Server*

in St Louis MO 63108

ADDITIONAL INFORMATION

12

(1) As to who may serve a subpoena and the manner of its service see Rule 17(d), Federal Rules of Criminal Procedure, or Rule 45(c), Federal Rules of Civil Procedure.

(2) "Fees and mileage need not be tendered to the deponent upon service of a subpoena issued on behalf of the United States or an officer or agency thereof (Rule 45(c), Federal Rules of Civil Procedure; Rule 17(d), Federal Rules of Criminal Procedure) or on behalf of certain indigent parties and criminal defendants who are unable to pay such costs (28 USC 1825, Rule 17(b) Federal Rules of Criminal Procedure)".

444

13

Best Copy Available

# BUREAU OF
# ALCOHOL, TOBACCO & FIREARMS

GROUP SUPERVISOR, ST. LOUIS II
KANSAS CITY FIELD DIVISION
100 SOUTH 4TH STREET, SUITE 750
ST. LOUIS, MISSOURI 63102-1800
TELEPHONE: (314) 425-5551
FAX: (314) 425-5568

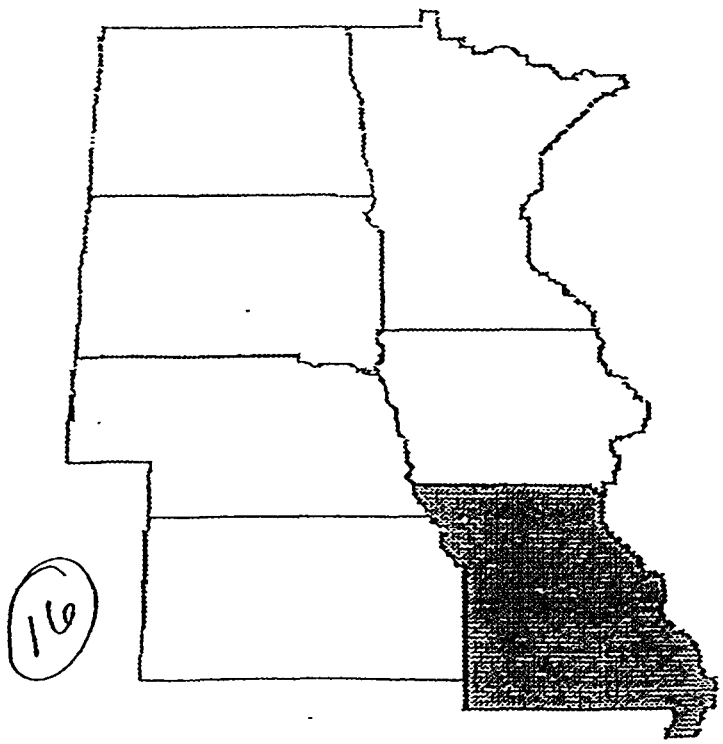
FAX NO: _____ PAGE 1 OF 3 PAGES
TO: ATF-NATIONAL TRACING CENTER

ATTN: TRACING CENTER
FROM: SA ST LOUIS II F.O.
SUBJ: REQUEST FOR CERTIFIED COPY OF TRACE.
COMMENTS: PLEASE CALL IF YOU HAVE ANY QUESTIONS REGARDING THE ATTACHED MEMORANDUM

DATE: 11/10/97 APPROVED BY: SA

*Working for a Sound and Safer America...*
*Through Innovation and Partnerships*



16

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FI[illegible]S
100 South 4th Street, Suite
St. Louis, Missouri 63102
November 10, 1997

MEMORANDUM TO: Special Agent in Charge, Tracing Center

FROM: Special Agent
St. Louis II Field Office

THRU: Group Supervisor
St. Louis II Field Office

SUBJECT: Correction to Firearms Trace Report

On February 11, 1997, a firearm trace request was submitted by the United States Marshals Service relative to the recovery of a Glock, Model 19, 9mm, semi-automatic, pistol, serial number ALX768US. Subsequently, ATF adopted the case for federal prosecution due to the possession of the firearm by a convicted felon.

The trace of the firearm, trace number successfully traced the firearm in question to the purchaser of the handgun. The purchaser of the handgun, was the subject of an ATF criminal investigation. The trace incorrectly identified the purchaser of the handgun as with an address of

Relative to the prosecution of the possessor in the United States District Court in Eastern Missouri, Assistant United States Attorney Gary M. Gaertner has requested that the Tracing Center provide a certified copy of the trace with the corrected information. The trace should read as follows:

Name:
Address:

All other information on the trace is correct. A copy of the ATF F 4473 is attached to verify the information for the report. The handwriting on the original ATF F 4473 is difficult to read, which may explain the discrepancies. Please forward the certified copy of the firearms trace report to Special Agent (SA) at the above address.

Thank you for your prompt attention to this matter.

Sincere[illegible]

(17)

SA
St Louis II F.O

# METROPOLITAN POLICE DEPARTMENT - CITY OF ST. LOUIS
## PROPERTY VOUCHER

| 1. Bur/Dist/Div. | 2. Voucher No. | 3. Year | 4. Complaint or File No. | 5. Date of Occ. No. | 6. Prop. Cust. Div. # | 7. Year |
|---|---|---|---|---|---|---|
| | | 95 | 95-164930 | 11-6-95 | 011113 | 5 BIN 520 |

| 8. Officer | 9. Rank | 10. Rank | 11. [illegible] Div. | 12. |
|---|---|---|---|---|
| | | P.O. | | Page 1 of 1 |

| 13a. Prisoner/Suspect | 14a. Address | 15a. Date of Arrest |
|---|---|---|
| Billy Jackson | 1463 DeSoto | 11-6-95 |
| 13b. (List additional names on an attached sheet) | 14b. | 15b. |

| 16. Charge | 17. Disposition | 17a. AR # | 17b. LB # | 18. Warrant |
|---|---|---|---|---|
| VMCSL | W.R. | | | ☐ Yes ☒ No |

| 19. Claimant | 20. Address | 21. Relationship to Case |
|---|---|---|
| 13A | 14A | Suspect |

| 22. Claimant Notified | 23. By | 24. DSN | 25. Rank | 26. Date | 27. Remarks |
|---|---|---|---|---|---|
| ☐ Yes ☐ No | | | | | |

| 28. Item | 29. Quantity | 30. DESCRIPTION | 31. Evid. | 32. Unclm. | 33. Legal | 34. DISPOSITION |
|---|---|---|---|---|---|---|
| 1 | 1 | Sturm-Ruger make, 357 Mag. Cal. Revolver, Ser.# defaced | | XX | | DESTROYED |
| 2 | 6 | Cartridges | | XX | | |
| 3 | 1 | Smith & Wesson make, .455 Cal. Revolver, Ser.# 58645 | | XX | | |
| 4 | 4 | Cartridges | | XX | | |

Property Disposition
ANNUAL MAR 8 1996
Date 7-16-96

| 35. Prepared by | | 36. Comm. | |
|---|---|---|---|
| Adm. Clerk | SN | Lt. | DSN |

| ITEM | DATE | RECEIVED FROM | RECEIVED BY |
|---|---|---|---|
| 37. All | 38. 2-4-96 | 39a. Type or Print Name and ID. Information DSN | 40. |
| | | 39b. Signature | 40a. Sign |
| 41. | 42. | 43a. Type or Print Name and ID. Information | 44a. Type or Print Name and ID. Information |
| | | 43b. Signature | 44b. Signature |

MPD FORM GEN-18 (R-1)

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

V.

WILLIE BOYD

## SUBPOENA

CASE NUMBER: 4:97CR301 SNL

TYPE OF CASE: ☐ CIVIL ☒ CRIMINAL

SUBPOENA FOR: ☒ PERSON ☒ DOCUMENT(S) or OBJECT(S)

TO:
Custodian of Records
Southwestern Bell Telephone Company
One Bell Plaza, Room
Dallas, Texas 75265-5321

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

| PLACE | COURTROOM |
|---|---|
| U.S. Court & Custom House<br>1114 Market Street<br>St. Louis, MO 63101 | Judge Limbaugh - 3rd floor |
| | DATE AND TIME<br>November 10, 1997 - 9:00 a.m. |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

Any and all documents, including but not limited to, billing information, subscriber information and toll records for telephone numbers 314/531-8771 and 314/652-0229 for the period November 1, 1996 through November 30, 1996.

NOTE: You are requested to provide the subpoenaed documents not later than 9-30-97 to the undersigned attorney for trial preparation. In the event this trial is rescheduled, this subpoena will not be reissued but will remain in full force and effect until you have been excused by the Court or notified that your appearance will not be necessary.

☐ See additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| U.S. MAGISTRATE OR CLERK OF COURT | DATE |
|---|---|
| [signature] | 9-18-97 |
| (BY) DEPUTY CLERK | |

This subpoena is issued upon application of the:

☐ Plaintiff ☐ Defendant ☒ U.S. Attorney

QUESTIONS MAY BE ADDRESSED TO:
Cary M. Gaertner, Jr.
Assistant United States Attorney
1114 Market Street, Rm. 401
St. Louis, MO. 63101 (314.539

ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER

* If not applicable, enter "none."

To be used in lieu of AO89

FORM OBD-226
JAN 96

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

V.

WILLIE BOYD

## SUBPOENA

CASE NUMBER: 4:97CR301 SNL

| TYPE OF CASE | SUBPOENA FOR |
|---|---|
| ☐ CIVIL ☒ CRIMINAL | ☒ PERSON ☐ DOCUMENT(S) or OBJECT(S) |

TO: Custodian of Records
Trans Union

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

| PLACE | COURTROOM |
|---|---|
| U.S. Court & Custom House<br>1114 Market Street<br>St. Louis, MO 63101 | Judge Limbaugh – 3rd floor |
| | DATE AND TIME<br>November 10, 1997 – 9:00 a.m. |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):
Any and all documents relative to credit history information for Billy M. Jackson, social security number 493-62-5241, last know address 1403 E. DeSoto Avenue St. Louis, Missouri 63107.

NOTE: You are requested to provide the subpoenaed documents not later than 9-30-97 to the undersigned attorney for trial preparation. In the event this trial is rescheduled, this subpoea will not be reissued but will remain in full force and effect until you have been excused by the Court or notified that your appearance will not be necessary.

☐ See additional information on reverse

(20)

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| U.S. MAGISTRATE OR CLERK OF COURT | DATE |
|---|---|
| [signature] | 9-18-97 |
| (BY) DEPUTY CLERK | |

This subpoena is issued upon application of

☐ Plaintiff ☒ Defendant ☐ U.S. Attorney
X

QUESTIONS MAY BE ADDRESSED TO:

Gary M. Gaertner, Jr.
Assistant United States Attorney
1114 Market Street, Rm. 401
St. Louis, MO 63101 (314) 539-

ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER

"If not applicable, enter "none."

To be used in lieu of AO89

FORM OBD-Z5b
JAN. 86

UNICOR FEDERAL PRISON INDUSTRIES INC.
LEAVENWORTH, KANSAS

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

V.

WILLIE R. BOYD

## SUBPOENA

CASE NUMBER: S1-4:97CR00301 SNL

| TYPE OF CASE | SUBPOENA FOR |
|---|---|
| ☐ CIVIL ☒ CRIMINAL | ☒ PERSON ☒ DOCUMENT(S) or OBJECT(S) |

TO:

(21)

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place specified below.

Document # 22

1 Page

Exemption (b)(3)
with Criminal Rule 6e

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

V.

WILLIE BOYD

**SUBPOENA**

CASE NUMBER: 4:97CR301 SNL

| TYPE OF CASE | SUBPOENA FOR |
|---|---|
| ☐ CIVIL ☒ CRIMINAL | ☒ PERSON ☒ DOCUMENT(S) or OBJECT(S) |

TO:

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

| PLACE | COURTROOM |
|---|---|
| U.S. Court & Custom House<br>1114 Market Street<br>St. Louis, MO 63101 | Judge Limbaugh - 3rd floor |
| | DATE AND TIME<br>November 10, 1997 - 9:00 a.m. |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

NOTE: In the event this trial is reschedule, this subpoena will not be reissued, but will remain in full force and effect until you have been excused by the Court or have been notified that you do not need to appear by the Court. You will be advised of any changes in date and time of trial.

(23)

☐ *See additional information on reverse*

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| U.S. MAGISTRATE OR CLERK OF COURT | DATE |
|---|---|
| Robert D. St. Vrain<br>(BY) DEPUTY CLERK | 9-18-97 |

This subpoena is issued upon application of the:

☐ Plaintiff ☐ Defendant ☒ U.S. Attorney

QUESTIONS MAY BE ADDRESSED TO:
Gary M. Gaertner, Jr.
Assistant United States Attorney
1114 Market Street, Rm. 401
St. Louis, MO. 63101 (314/53
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER

*If not applicable, enter "none."

To be used in lieu of AO89

FORM OBD-226
JAN 86

## RETURN OF SERVICE[1]

| | | |
|---|---|---|
| RECEIVED BY SERVER | DATE | PLACE 1114 Market St Rm St Louis MO 63101 |
| SERVED | DATE 10/23/97 | PLACE |

| | |
|---|---|
| SERVED ON (NAME) | FEES AND MILEAGE TENDERED TO WITNESS[2] ☐ YES ☐ NO AMOUNT $ |
| SERVED BY SA | TITLE Special Agent - ATF |

## STATEMENT OF SERVICE FEES

| TRAVEL | SERVICES | TOTAL |
|---|---|---|
| | | |

## DECLARATION OF SERVER[2]

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 10/24/97
Date

1114 Market St, Rm St Louis MO 63102
Address of Server

ADDITIONAL INFORMATION

(24)

(1) As to who may serve a subpoena and the manner of its service see Rule 17(d), Federal Rules of Criminal Procedure, or Rule 45(c), Federal Rules of Civil Procedure.

(2) "Fees and mileage need not be tendered to the deponent upon service of a subpoena issued on behalf of the United States or an officer or agency thereof (Rule 45(c), Federal Rules of Civil Procedure; Rule 17(d), Federal Rules of Criminal Procedure) or on behalf of certain indigent parties and criminal defendants who are unable to pay such costs (28 USC 1825, Rule 17(b) Federal Rules of Criminal Procedure)".

UNICOR FEDERAL PRISON INDUSTRIES INC.
LEAVENWORTH, KANSAS

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

V.

WILLIE E. BOYD

## SUBPOENA

CASE NUMBER: S1-4:97CR00301 SNL

| TYPE OF CASE | SUBPOENA FOR |
|---|---|
| ☐ CIVIL ☒ CRIMINAL | ☒ PERSON ☒ DOCUMENT(S) or OBJECT(S) |

TO:

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

| PLACE | COURTROOM |
|---|---|
| U.S. Court & Custom House<br>1114 Market Street<br>St. Louis, MO. 63101 | Judge Limbaugh - 3rd floor |
| | DATE AND TIME<br>April 15, 1998 - 9:00 a.m. |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

Upon receipt of this subpoena, please call for the date and time you are to testify.

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

V.

WILLIE BOYD

**SUBPOENA**

CASE NUMBER: 4:97CR301 SNL

| TYPE OF CASE | SUBPOENA FOR |
|---|---|
| ☐ CIVIL ☒ CRIMINAL | ☒ PERSON ☐ DOCUMENT(S) or OBJECT(S) |

TO: Custodian of Records
Trans Union

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

| PLACE | COURTROOM |
|---|---|
| U.S. Court & Custom House<br>1114 Market Street<br>St. Louis, MO 63101 | Judge Limbaugh - 3rd floor |
| | DATE AND TIME<br>November 10, 1997 - 9:00 a.m. |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*
Any and all documents relative to credit history information for Billy M. Jackson, social security number 493-62-5241, last know address 1403 E. DeSoto Avenue St. Louis, Missouri 63107.

NOTE: You are requested to provide the subpoenaed documents not later than 9-30-97 to the undersigned attorney for trial preparation. In the event this trial is rescheduled, this subpoea will not be reissued but will remain in full force and effect until you have been excused by the Court or notified that your appearance will not be necessary.

☐ See additional information on reverse

(26)

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| U.S. MAGISTRATE OR CLERK OF COURT | DATE |
|---|---|
| (BY) DEPUTY CLERK | 9-18-97 |

This subpoena is issued upon application

☐ Plaintiff ☐ Defendant ☐ U.S. Attorney
X

QUESTIONS MAY BE ADDRESSED TO:

Gary M. Gaertner, Jr.
Assistant United States Attorney
1114 Market Street, Rm. 401
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER St. Louis, MO. 63101 (314) 53

*If not applicable, enter "none."

To be used in lieu of AO89

FORM OBD-226
JAN. 86

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

V.

**SUBPOENA**

WILLIE E. BOYD

CASE NUMBER: S1-4:97CR00301 SNL

| TYPE OF CASE | SUBPOENA FOR |
|---|---|
| ☐ CIVIL ☒ CRIMINAL | ☒ PERSON ☒ DOCUMENT(S) or OBJECT(S) |

TO: Custodian of Records
AmeriTech Mobile Telephone Company

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

| PLACE | COURTROOM |
|---|---|
| U.S. Court & Custom House<br>1114 Market Street<br>St. Louis, Missouri 63101 (27) | Judge Limbaugh - 3rd floor |
| | DATE AND TIME<br>April 13, 1998 - 9:00 a.m. |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*
Any and all documents related to mobile telephone number 314.306.8210, Billy M. Jackson customer, located at 1403 DeSoto Avenue, St. Louis, MO. 63107; including but not limited to, billing information, toll records and subscribers for the period of 12/94 to March 1, 1997.

NOTE: You are requested to provide the requested documents/information upon receipt of this subpoena to the undersigned Assistant United States Attorney. In the event this trial is rescheduled, this subpoena will not be reissued but will remain in full force and effect until you have been excused by the Court or notified that your appearance will not be necessary.

☐ *See additional information on reverse*

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| U.S. MAGISTRATE OR CLERK OF COURT | DATE |
|---|---|
| Robert D. McNair<br>(BY) DEPUTY CLERK | March 30, 1998 |

This subpoena issued upon application of the:

☐ Plaintiff ☐ Defendant ☒ U.S. Attorney

QUESTIONS MAY BE ADDRESSED TO:
Gary M. Gaertner, Jr.,
Assistant United States Attorney
1114 Market Street, Rm. 401
St. Louis, MO. 63101 (314) 539
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER

*If not applicable, enter "none."

To be used in lieu of AO89

FORM OBD-226
JAN 84

# BUREAU OF ALCOHOL, TOBACCO & FIREARMS

GROUP SUPERVISOR
ST. LOUIS GROUP II
KANSAS CITY FIELD DIVISION
100 SOUTH FOURTH STREET, ROOM
ST. LOUIS, MISSOURI 63102-1800
TELEPHONE: (314) 425-5551
FAX: (314) 425-5568

FAX NO: 0926-03 PAGE 1 OF 2 PAGES

TO: SOUTHWESTERN BELL TELEPHONE CO.

ATTN: LEGAL PROCESS CENTER

SUBJ: SUBPOENA

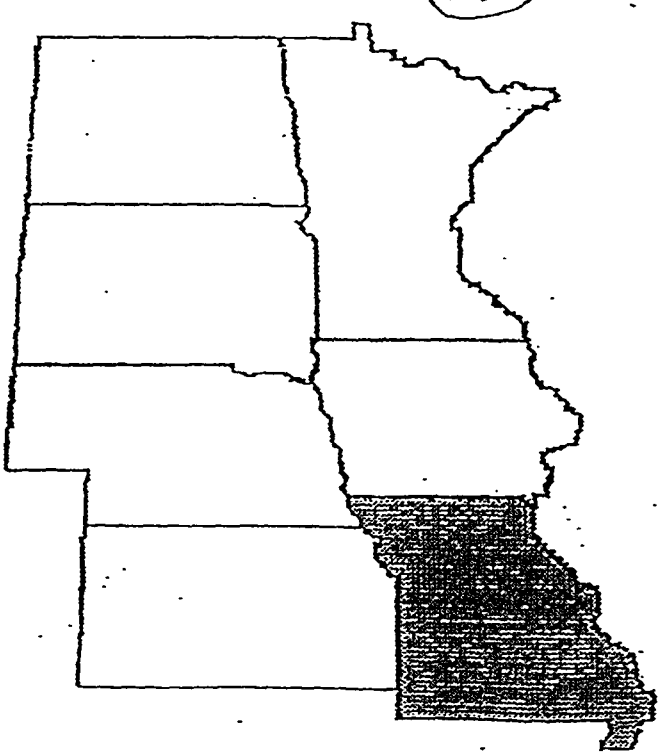
COMMENTS: CALL THE ABOVE TELEPHONE NUMBER IF YOU HAVE ANY QUESTIONS RELATIVE TO THE SUBPOENA.

DATE: 9/26/97 APPROVED BY: S/A

Working for a Sound and Safer America...
Through Innovation and Partnerships

28



# BUREAU OF ALCOHOL, TOBACCO & FIREARMS

GROUP SUPERVISOR
ST. LOUIS GROUP II
KANSAS CITY FIELD DIVISION
100 SOUTH FOURTH STREET, ROOM
ST. LOUIS, MISSOURI 63102-1800
TELEPHONE: (314) 425-5551
FAX: (314) 425-5568

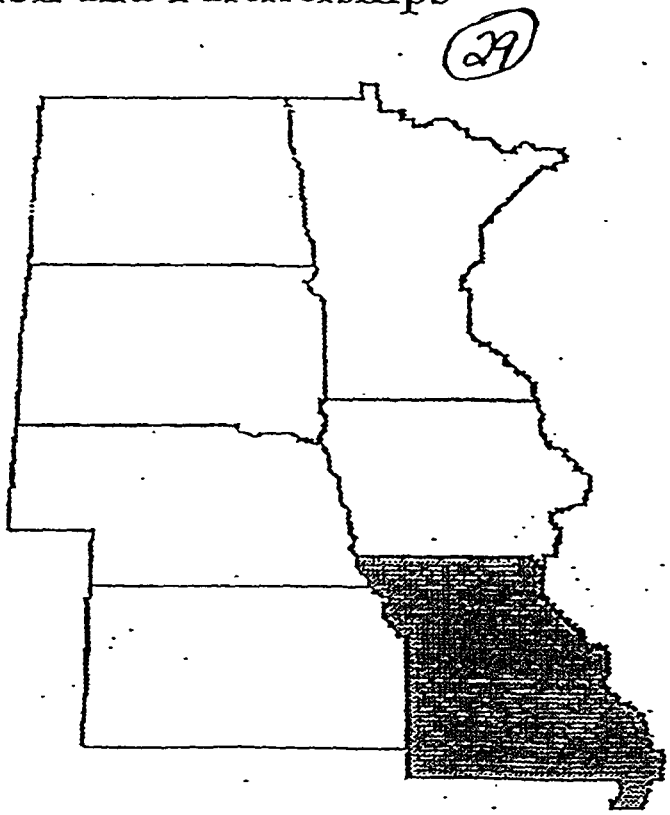
FAX NO: 0929-14 PAGE 1 OF 2 PAGES
TO: TRANSUNION

ATTN: LEGAL COUNSEL
SUBJ: SUBPOENA FOR CREDIT HISTORY INFORMATION.
COMMENTS: CALL SPECIAL AGENT WITH ANY QUESTIONS. THANKS FOR YOUR ASSISTANCE.

DATE: 9/29/97 APPROVED BY: S/S

Working for a Sound and Safer America...
Through Innovation and Partnerships



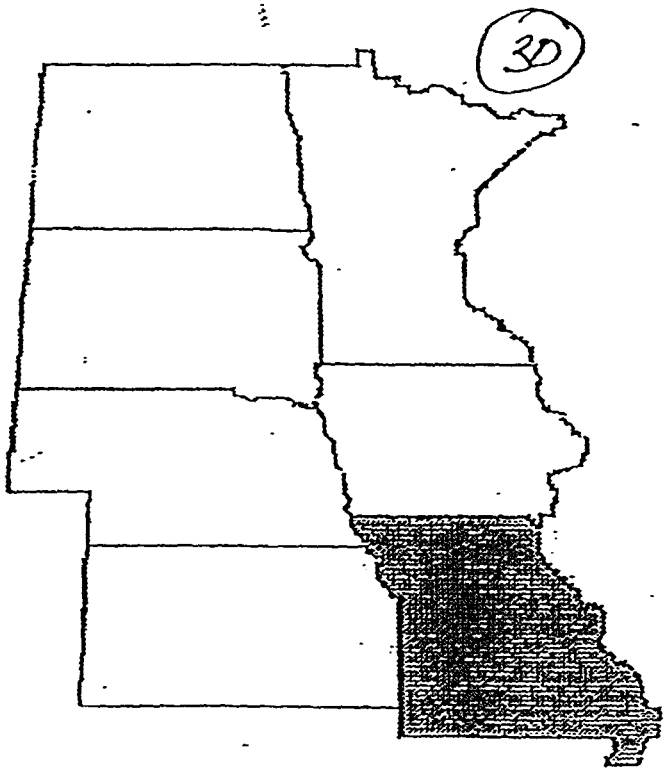
# BUREAU OF ALCOHOL, TOBACCO & FIREARMS

RESIDENT AGENT IN CHARGE, ST. LOUIS II FIELD OFFICE
KANSAS CITY FIELD DIVISION
1222 SPRUCE STREET, ROOM 6.205
ST. LOUIS, MISSOURI 63102
TELEPHONE: (314) 539-7440
FAX: (314) 539-7996

FAX NO: (847) 706- PAGE 1 OF 2 PAGES
TO: AMERITECH CELLULAR
SUBPOENA GROUP
ATTN:
FROM: SA
SUBJ: SUBPOENA FOR SUBSCRIBER INFO
COMMENTS: CALL ME AT (314) 539- (DIRECT LINE)
OR THE ABOVE NUMBERS WITH ANY QUESTIONS.
DIRECT LINE FOR US ATTY (539- 314) GARY GAERTNER
DATE: 3/30/98 APPROVED B

*Working for a Sound and Safer America...*
*Through Innovation and Partnerships*



# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

V.

WILLIE BOYD

## SUBPOENA

CASE NUMBER: 4:97CR301 SNL

TYPE OF CASE: ☐ CIVIL ☒ CRIMINAL

SUBPOENA FOR: ☒ PERSON ☒ DOCUMENT(S) or OBJECT(S)

TO: Custodian of Records
AmeriTech Mobile Telephone Company

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

| PLACE | COURTROOM |
|---|---|
| U.S. Court & Custom House<br>1114 Market Street<br>St. Louis, MO 63101 | Judge Limbaugh - 3rd floor |
| | DATE AND TIME<br>November 10, 1997 - 9:00 a.m. |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

**Any and all documents related to mobile telephone number 314.306.8210, Billy M. Jackson customer located at 1403 DeSoto Avenue, St. Louis, MO 63107; including but not limited to billing information, toll records and subscribers for the period 11-1-96 through 11-30-96.**

**NOTE: You are requested to provide the subpoenaed documents not later than 9-30-97 to the undersigned attorney for trial preparation. In the event this trial is rescheduled, this subpoena will not be reissued but will remain in full force and effect until you have been excused by the Court or notified that your appearance will not be necessary.**

☐ See additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| U.S. MAGISTRATE OR CLERK OF COURT | DATE |
|---|---|
| | 9-18-97 |

This subpoena is issued on application of the:

☐ Plaintiff ☐ Defendant ☒ U.S. Attorney

| QUESTIONS MAY BE ADDRESSED TO: | ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER |
|---|---|
| Cary M. Gaertner, Jr.<br>Assistant United States Attorney<br>1114 Market Street, Rm. 401<br>St. Louis, MO. 63101 (314.539 | |

If not applicable, enter none.

To be used in lieu of AO89

FORM OBD-228
JAN 95

# United States District Court

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

V

WILLIE E. BOYD a/k/a
BILLY M. JACKSON

## SUBPOENA

CASE NUMBER: 4:97CR391 SNL

| TYPE OF CASE | SUBPOENA FOR |
|---|---|
| ☐ CIVIL ☒ CRIMINAL | ☐ PERSON ☒ DOCUMENT(S) or OBJECT(S) |

TO

VIA FAX !

Director of Security
Database Technologies

FYI

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date and time specified below to testify in the above case

| PLACE | COURTROOM |
|---|---|
| United States Court and Custom House<br>1114 Market Street<br>St. Louis, Missouri 63101 | Judge [illegible]'s Courtroom<br>Third Floor |
| | DATE AND TIME: Monday,<br>April 13, 1998, 9:00 AM |

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s) *

ENT.

[illegible] requested to provide the subpoenaed [illegible] not later than April 1, 199[illegible] U.S. Mail to:

Assistant U.S. Attorney Gary M. Gaertner, Jr.
1114 Market Street, Room
St. Louis, Missouri [illegible]
FAX #(314) 539

These documents may be provided in lieu of appearing before the Grand Jury.

☐ See additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by [illegible] behalf of the court.

U.S. MAGISTRATE OR CLERK OF COURT

[signature]

(BY) DEPUTY CLERK

32

March 25, 1998

This subpoena is issued upon application of the:

☐ Plaintiff ☐ Defendant ☒ U.S. Attorney

QUESTIONS MAY BE ADDRESSED TO:
Assistant U.S. Attorney Gary M. Gaertner, Jr.
1114 Market Street, Room 401
St. Louis, Missouri 63101
(314) 539-[illegible]
NAME, ADDRESS AND PHONE NUMBER

*If not applicable, enter "none"

FORM OBD-226
JAN 94

ATTACHMENT TO SUBPOENA

Charles Bruden
Director of Security
[illegible] Technologies

You are to furnish any and all documents or information in your care, custody or control pertaining to:

WILLIE E. BOYD SSN 490-52-6605
a/k/a BILLY M. JACKSON SSN 493-62-5241
2091 Victory Way Lane
St. Louis, Missouri 63138

including but not limited to any documents or information relative to the source(s) of Boyd's association with the address of 2091 Victory Way Lane.

(33)

Best Copy Available

# BUREAU OF ALCOHOL TOBACCO & FIREARMS

GROUP SUPERVISOR
ST. LOUIS GROUP II
KANSAS CITY FIELD DIVISION
100 SOUTH FOURTH STREET, ROOM
ST. LOUIS, MISSOURI 63102-1800
TELEPHONE: (314) 425-5551
FAX: (314) 425-5568

FAX NO: _____ PAGE 1 OF 2 PAGES

TO: AMERITECH

ATTN: 1-800 - corporate security

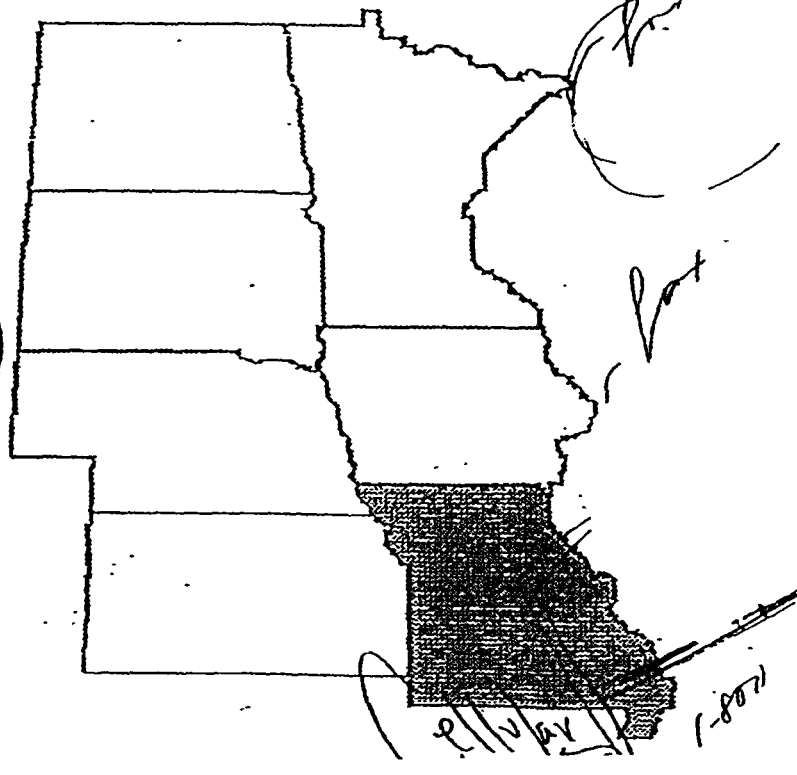
SUBJ: SUBPOENA

COMMENTS: CALL S/A @ 425-
IF YOU NEED ANYTHING FURTHER. THANKS FOR YOUR HELP.

DATE: 9/26/97 APPROVED BY: SA

Working for a Sound and Safer America...
Through Innovation and Partnerships



36

CC: AUSA
Gary Gaertner

LABORATORY WEAPON WORK SHEET

LAB. NO.: S 1 1 1 2 5-1

COMP. NO.: 95-1 6 4 9 3 0

SUSPECT: Billy JACKSON VICTIM:

ADDRESS: 1403 Desoto ADDRESS:

DISTRICT: 306/Bureau OFFENSE: VMCSL DATE: 11-6-95

DATE RECEIVED:11-7-95 DATE EXAMINED: 12-2-97 OFFICER:

MAKE: Italy (Acier Vickers) MODEL: Richland 230

CALIBER: 20 Gauge TYPE: Shotgun FINISH: Blue

SERIAL NO.: 4 4 7 8

BARREL LENGTH: 22" NO. OF L & G: None TWIST: None

CAPACITY: 1 IN CYLINDER CLIP MAGAZINE OTHER

EXPLAIN OTHER: Each chamber of double barrel firearm

TYPE OF SAFETY IF ANY: Thumb

DEFECTS IF ANY: None

OVERALL LENGTH: LENGTH FROM MUZZLE TO TRIGGER:

TRIGGER PULL (POUNDS): S.A. 3 (Both barrels) D.A.

FLARES ON CYLINDER: ROTATION OF CYLINDER: RIGHT LEFT

TYPE OF ACTION (RIFLE OR SHOTGUN): Take down (side by side)

NO. OF CARTRIDGES WITH GUN: 2

NO. OF DISCHARGED SHELLS: None BULLETS: None REC'D IN CASE

TEST SHOTS FIRED: Yes

DISPOSITION OF WEAPON: PROPERTY CUSTODY SECTION YES OTHER Property voucher #11099-95 Sheriff's Office

Best Copy Available

27

EXAMINER:

Firearms Examiner

/eas

PAGE 1 OF 1 PAGES

TRACKING NO | 20 HOUR EXPIRATION 11/07/95 | DATE/TIME 18:00 | ADD'L A.R. # | PROCESSED | PAGE # 1 of 1 | ARREST NUMBER 95/6/0003334

CHARGES APPROVED BY: Ver # 1 Sgt

ST. LOUIS METROPOLITAN POLICE
ARREST REGISTER

LID NUMBER | OCN NUMBER

| LAST NAME | FIRST NAME | MIDDLE NAME | JR/SR | LBNAME |
|---|---|---|---|---|
| JACKSON | BILLY | M | | |

| RACE | SEX | AGE | DATE OF BIRTH | STATE | OPERATOR'S LICENSE NUMBER-STATE | MARITAL STATUS | COMPLAINT NUMBER |
|---|---|---|---|---|---|---|---|
| BLACK | MALE | 44 | 08/19/51 | MO | | SIN | |

| HEIGHT | WEIGHT | BUILD | COMPLEXION | EYES | HAIR | SOCIAL SECURITY NUMBER | DOMESTIC INCIDENT |
|---|---|---|---|---|---|---|---|
| 508 | 195 | MEDIUM | MEDIUM | BROWN | BLACK | 493-62-5241 | NO |

| HOME ADDRESS | CITY | STATE | ZIP CODE | (A.C.)HOME PHONE |
|---|---|---|---|---|
| 1403 E DESOTE | ST LOUIS | MO | 63107 | ( )652-022 |

| OCCUPATION | UNEMPLOYED | EMPLOYER (PRESENT OR LAST) |
|---|---|---|
| CLERK | | COLES MOTEL |

| BUSINESS ADDRESS | CITY | STATE | ZIP CODE | (A.C.)BUSINESS PHONE |
|---|---|---|---|---|
| 4531 NATURAL BRIDGE | ST LOUIS | MO | 63115 | 385-5131 |

SCARS, MARKS, TATTOOS (DESCRIPTION AND LOCATION), ARTIFICAL BODY PARTS, AMPUTATIONS, DEFORMITIES

| EMERGENCY CONTACT-NAME | ADDRESS | (A.C.)PHONE | CALL COMPLETED |
|---|---|---|---|
| | | ( ) | DSN 22:30 |

PRISONER LOCATION | RETURNED FROM AUTHORITY

| TIME ARRESTED | DATE ARRESTED | ARRESTING OFFICER | DSN | ASSIGNMENT | ASSIST DSN | ASSIST DSN | ASSIST DSN |
|---|---|---|---|---|---|---|---|
| 22:00 | 11/06/95 | | | | | | |

| LOCATION OF ARREST | TIME BOOKED | DATE BOOKED | BOOKING OFFICER |
|---|---|---|---|
| 4531 NATURAL BRIDGE | 01:26 | 11/07/95 | WEATHERSPOON |

| | CHARGES | DOC. NO. | OFF.DATE | COURT | DATE | TIME |
|---|---|---|---|---|---|---|
| | POSS CONTROLED SUBSTANCE(F) CN 95-164930 | | 11/06/95 | | | |

1
ISS/REF: Ref | TIME: 9:47 | DATE CHARGE REVISION: 11-7-95 | F M C D | INFO RECEIVED FROM | INFO RECEIVED BY | INFO.DISP.CN: 95-164931
BOND-SURETY | AGENT | ADDRESS | TYPE | AMOUNT: 5,000 | DATE RET.: 11-14-95 | COURT: 25

2
UNLAWFUL USE WEAP FEL (F) CN 95-164930 | 11/06/95
ISS/REF: Ref | TIME: 9:47 | DATE CHARGE REVISION: 11-7-95 | F M C D | INFO RECEIVED FROM | INFO RECEIVED BY | INFO.DISP.CN: 95-164931
BOND-SURETY: Same as line 1 | AGENT | ADDRESS | TYPE: Same | AMOUNT | DATE RET. | COURT

3
ISS/REF | TIME | DATE CHARGE REVISION | F M C D | INFO RECEIVED FROM | INFO RECEIVED BY | INFO.DISP.CN
BOND-SURETY | AGENT | ADDRESS | TYPE | AMOUNT | DATE RET. | COURT

4
ISS/REF | TIME | DATE CHARGE REVISION | F M C D | INFO RECEIVED FROM | INFO RECEIVED BY | INFO.DISP.CN
BOND-SURETY | AGENT | ADDRESS | TYPE | AMOUNT | DATE RET. | COURT

| HOW RELEASED | RELEASE LOC AREA | TIME RELEASED | DATE RELEASED | RELEASED BY | AUTHORITY FOR RELEASE |
|---|---|---|---|---|---|
| BOND (BND) | (PP) | 0751 | 11/7/95 | | |

SIGNATURE OF OFFICER RECEIVING PRISONER AND PROPERTY | DEPARTMENT/AGENCY (30)

FORWARDED TO PRISONER PROCESSING DATE/TIME | VERIFIED BY DSN | REMARKS

I CERTIFY THAT MY NAME AND OTHER PERSONAL INFORMATION ON THIS FORM IS CORRECT.
I UNDERSTAND THAT FALSE STATEMENTS ARE PUNISHABLE BY LAW (RSMo 575.060).

PRISONER'S SIGNATURE Billy Jackson | SEARCHING OFFICER'S SIGNATURE

**ENTERED BY: 01:26 11/07/95

PRISONER PROCESSING COPY

## PRISONER'S PROPERTY

PROPERTY TAKEN WHEN BOOKED:

Money=NONE,Food stamps=NONE,1pr-Shoelaces(s),Personal paper(s),1-Watch(s),2-Ring(s),1-Bracelet/chain(s)
1-Necklace/chain(s)
BEEPER

PROPERTY SEIZED FROM PRISONER AS EVIDENCE:

775.00 DOLLARS

Prisoner's Signature for property taken _____

Searching Officer's Signature _____

Prisoner's Signature for Property
Received at Time of Release _____

PROPERTY RELEASED TO OTHER THAN PRISONER:

_____

_____

_____

Prisoner's Signature
Authorizing Release of Property _____

Signature of Person
Receiving Property _____

Address _____

Officer Releasing Property _____

## PRISONER'S MEDICAL CONDITION

Do you have any medical conditions that we should be aware of, or are you currently taking any prescription medication? ___Yes ___No

If yes, explain _____

_____

Prisoner's Signature

## PRISONER'S AUTO-TOWING OPTIONS

DISPOSITION OF PRISONER'S AUTO:

___ Towed to a police impoundment for safekeeping

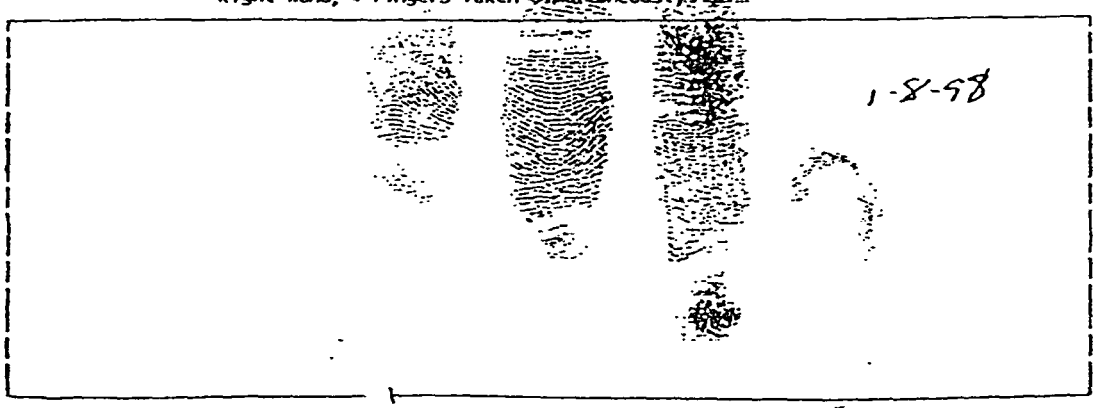
___ Parked at _____

___ Turned over to _____
Name Address

___ TOW OPTION FORM (GEN-145) PREPARED.

## FINGERPRINTS

Right Hand, 4 Fingers Taken Simultaneously




39

PRISONER PROCESSING TIME STAMP

___CHECK IF NECESSARY TO PRINT LEFT HAND.

U.S. Department of Justice

*United States Attorney*
*Organized Crime Drug Enforcement*
*Task Force - South Central Region*

(1)

5th floor

1st floor

(1) PMS Processing

I.D. - 5th F

(40)

/07/95 08:55 HSL PRINT FOR D MILLER PAGES: 1 - 1

METROPOLITAN POLICE DEPARTMENT - CITY OF ST. LOUIS

TOPIC: Aliases/Lid NotificationMSG NO: 74 PAGES: 1
ENDER: TYPED BY:

THORIZED BY: Sgt. ommander of I.D.
TO: Area III Detective, Det. DSN

lative to arrested subject Billy M. Jackson, B/M,
B 08/19/51, AR#95/6/3334 and dated 11/06/95 and
rocessed as LID# Fingerprints reveal subject
be identical to our LID# Subject uses aliases
Willie Edward Boyd, Willie coward Osborne and DOB
7/11/49, 07/04/49.

rsuant to department reoulations, special order
section page ou are to check for
ssible wanteds on above aliases and re-arrest if
cessary.

lease note correct LID#

rification of prints made by FPT. DSN

41

# BUREAU OF ALCOHOL, TOBACCO & FIREARMS

GROUP SUPERVISOR
ST. LOUIS GROUP I
KANSAS CITY FIELD DIVISION
100 SOUTH FOURTH STREET, ROOM
ST. LOUIS, MISSOURI 63102-1800
TELEPHONE: (314) 425-5563
FAX: (314) 425-5568

FAX NO: _____ PAGE 1 OF 1 PAGES

TO: NTC

ATTN: _____

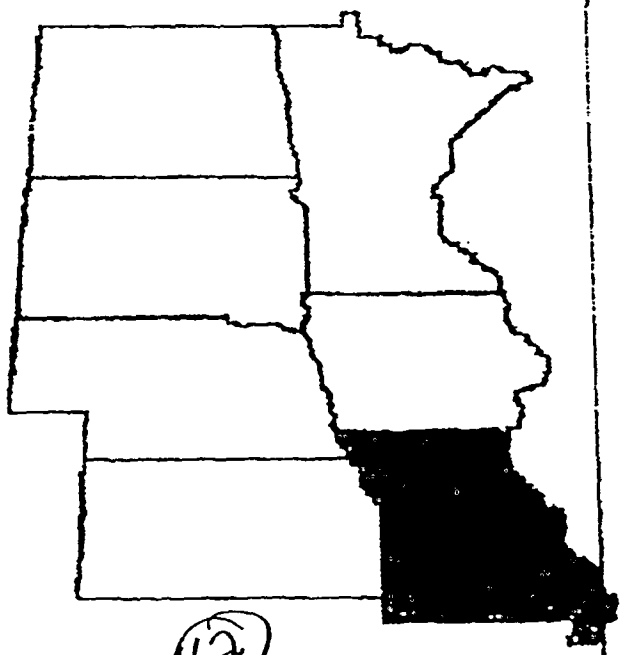
SUBJ: _____

COMMENTS: THIS IS A REQUEST FOR A COPY OF TRACE

DATE: _____ APPROVED BY: _____

Working for a Sound and Safer America...
Through Innovation and Partnerships



(42)

1-26-98

Following are the circumstances and events that led up to and surrounded the arrest of the herein named individuals.

At approximately 5:30 p.m. this date Detectives
DSN DSN and I
Detective met with
rating
out of the [illegible] Motor Lodge, 4531 Natural Bridge, were engaged in the sale of Crack/Cocaine

Continuing with this investigation, at approximately 9:10 p.m., the herein named detectives set up and maintained a surveillance on the aforementioned motel. During this surveillance, we observed seven individuals approach the front door of the motel and being allowed entry, approached a door leading to a room situated on the west side of the premises. These individuals would knock on the door leading to this room, at which time a short transaction involving currency and other unknown items would take place. These individuals would leave the motel and walk from the area.

At approximately 10:00 p.m., myself, along with Detectives
J entered the motel, which was open for business, and approached the aforementioned door, leading to what was later found to be an office. Upon knocking on this door, same was opened by an individual, later identified as Billy J. Upon seeing the officers, this subject attempted to close the door, pushing same towards the officers.

During this struggle to enter the premises, we could hear a toilet flushing inside this room.

At this point, the officers were allowed entry to the premises and almost immediately located the herein mentioned firearms and a plastic bag containing suspected Crack/Cocaine. During this incident, subject exited a restroom, which was located on the north side of the room.

Both subjects were placed under arrest and advised relative to their Constitutional Rights, as outlined in MPD Form GEN-19.

43

Subject Billy J. secured the premises by locking both doors, afterwhich time the arrested subjects were conveyed to the Area III Command Station where they were booked and charged as indicated herein.

While at the Area III Station, the investigating officers seized $775 from arrested subject Billy J. This currency was believed to be proceeds from the illegal sale of Crack/Cocaine. The currency was counted in the presence of the arrested subject and recorded on MPD Form GEN-74 (Property Receipt), which was signed by the arrested subject and hereto attached.

Both of the arrested subjects were reminded of their Constitutional Rights, and questioned relative to this incident. Subject Billy J. stated that he is friend's with the owner of the aforementioned hotel and that he was on the premises waiting for his friend, adding that he did not take part in any illegal activity. In response to questioning, this individual stated that he kept a firearm for his own protection.

Arrested subject

.. and that he did not have a ...earm or any type of controlled substance, concluding in stating that he is on parole and feared that his parole would be violated.

A record and wanted search via REJIS computer revealed that both of the arrested subjects have extensive police records indicated with this department, with no active wanted on file.

Criminal Information Sheets and a Warrant Disposition Report were prepared, as warrants will be applied for in the a.m. of 11/7/95 by the herein named arresting officers.

ATTACHMENT: PROPERTY RECEIPT

44

11/07/95

ST.LOUIS METROPOLITAN POLICE DEPARTMENT CMPLT # 95164930
POLICE INCIDENT REPORTING SYSTEM
INCIDENT REPORT

## I N C I D E N T

Incident Type: 182999 VMCSL-GENERAL POSSESSION
Complaint # Status: CLEARED/ARREST
Orig./Supplement: ORIGINAL
Dist/Precinct/Beat:
Origination Desc: RADIO
Day of Week: MON
Date of Occurrence: 11/06/95 to 11/06/95
Time of Occurrence: 22:00 to 22:00
Location Name: COLE'S MOTOR LODGE Ngh:
Street: 4531 NATURAL BRIDGE
City/State: ST. LOUIS MO
Type of Premises: HOTEL/MOTEL
Invst Followup(Y/N): N
Assignment:
Date: 11/07/95
Time: 22:00
Asgmt. Code: Car No:
DSN/Officer:
Assisted by:

ANY WEAPONS DISCHARGED BY AN OFFICER(Y/N)? N

Summary: THE HEREIN NAMED DETECTIVES WHO ARE MEMBERS OF THE AREA III SPECIAL OPERATIONS TASK FORCE FOLLOWING A SHORT INVESTIGATION ARRESTED TWO INDIVIDUALS AND SEIZED A QUANTITY OF SUBSTANCE, BELIEVED TO BE CRACK COCAINE, THREE FIREARMS, AND $775 IN U.S. CURRENCY.

## V I C T I M

NAME: LAST STATE OF MISSOURI

DOMESTIC INCIDENT: NO
REL. TO SUSPECT: RELATIONSHIP UNKNOWN
BIAS INCIDENT: NO

## P R O P E R T Y

45

Property Status: EVIDENCE
Damaged (Y/N): N
Held as Evidence: Y
Quantity: 1
Property Type: CONSUMABLE GOODS
Characteristics: ONE PLASTIC BAG CONTAINING AN OFF WHITE ROCK LIKE

S 2 4 6 0 1 7 0 0 9

SUBSTANCE
Estimated Value: $ 0
Property Disp: TAKEN TO LABORATORY
Recovery:
Loc. Recovered: FLOOR
Date: 11/07/95
Address:
Street: 4531 NATURAL BRIDGE
City/State: ST. LOUIS MO
DSN/Officer:
Assignment Code:
Owner:
Name: J (SUSPECT)
BILLY

P R O P E R T Y

Property Status: OTHER
Damaged (Y/N): N
Held as Evidence: Y
Quantity: 1
Property Type: CURRENCY/NOTES
Characteristics: $775 U.S. CURRENCY IN VARIOUS DENOMINATIONS
Estimated Value: $ 775
Property Disp: ASSET FORFEITURE
Recovery:
Loc. Recovered: PERSON OF SUSPECT
Date: 11/07/95
Address:
Street: 4014 N UNION
City/State: ST. LOUIS MO
DSN/Officer:
Assignment Code:
Owner:
Name: J (SUSPECT)
BILLY

P R O P E R T Y

(46)

Property Status: EVIDENCE
Damaged (Y/N): N
Held as Evidence: Y
Quantity: 7
Property Type: FIREARM
Brand: RUGER
Model: SECURITY 6
Characteristics: .357 MAGNUM BLUE STEEL REVOLVER WITH 3" BARRELL LOADED W/6 LIVE ROUNDS

Estimated Value: $ 0
Property Disp: TAKEN TO LABORATORY
Recovery:
Loc. Recovered: FLOOR
Date: 11/07/95
Address:
Street: 4531 NATURAL BRIDGE
City/State: ST LOUIS MO
DSN/Officer:
Assignment Code:
Owner:
Name: J (SUSPECT)
BILLY

P R O P E R T Y

Property Status: EVIDENCE
Damaged (Y/N): N
Held as Evidence: Y
Quantity: 5
Property Type: FIREARM
Brand: SMITH & WESSON
Serial Number: 58645
Characteristics: .45 CALIBER BLUE STEEL REVOLVER WITH 6" BARRELL WITH 4 LIVE ROUNDS SHP951106-231241
Estimated Value: $ 0
Property Disp: TAKEN TO LABORATORY
Reference Number:
Recovery:
Loc. Recovered: FLOOR
Date: 11/07/95
Address:
Street: 4531 NATURAL BRIDGE
City/State: ST. LOUIS MO
DSN/Officer:
Assignment Code:
Owner:
Name: (SUSPECT)

48

P R O P E R T Y

Property Status: EVIDENCE
Damaged (Y/N): N
Held as Evidence: Y
Quantity: 1
Property Type: FIREARM
Brand: ACIER VICKERS
Model: ITALIAN

Serial Number: 4478
Characteristics: .20 GAUGE DOUBLE
BARRELL BLUE STEEL SHOTGUN
W/2 RNDS SHP951106-231715
Estimated Value: $ 0
Property Disp: TAKEN TO LABORATORY
Reference Number: G694127173
Recovery:
Loc. Recovered: IN CORNER IN SOUTHEAST CORNER
Date: 11/07/95
Address:
Street: 4531 NATURAL BRIDGE
City/State: ST LOUIS MO
DSN/Officer:
Assignment Code:
Owner:
Name: J (SUSPECT)
BILLY

49

## S U S P E C T

| | | |
|---|---|---|
| NAME: LAST | JACKSON | |
| FIRST | BILLY | M |
| AGE | 044 TO 044 | |
| WEIGHT | 195 TO 195 | |
| HEIGHT | 508 TO 508 | |
| RACE | BLACK | |
| SEX | MALE | |
| BUILD | MEDIUM | |
| COMPLEXION | MEDIUM | |
| EYE COLOR | BROWN | |
| HAIR COLOR | BLACK | |
| HAIR STYLE | AFRO/NATURAL | |
| HAIR LENGTH | MEDIUM | |
| FACIAL HAIR | COMBINATION BEARD/MUSTACHE | |
| CLOTHING | BLUE SWEATER | |
| CLOTHING | BLACK SHIRT/BLOUSE | |
| Birth: | | |
| Date: | 08/19/51 | |
| Location: | MO | |
| Social Security No: | 493-62-5241 | |
| Marital Status: | SINGLE | |
| Suspect Status: | ADULT ARREST | |
| Injury: | | |
| Description: | NOT APPARENT | |
| RESIDENCE ADDRESS: | | |
| Street: | 1403 E DESOTO | |
| City/State: | ST. LOUIS | MO 63107 |
| Telephone:(Res) | (314) 652-0222 Ext. 9000 | |
| Arrest: | | |
| Date: | 11/07/95 | |
| Time: | 22:00 | |
| Officer/Asgmt: | | ASGMT # |
| Assisted by: | | |
| Local ID Number: | | |
| Miranda: | | |
| Yes/No: | Y | |
| Officer: | | |
| Charge: | | |
| Charge Descr: | 1) VMCSL POSSESSION OF COCAINE | |
| Crime Catgry: | FELON | Date: 11/07/95 |
| Document No: | CN 95-164930 | |
| Charge Descr: | 2) UUW/CCW | |
| Crime Catgry: | FELON | Date: 11/06/95 |
| Document No: | CN 95-164930 | |

(50)

## S U S P E C T

NAME: LAST
FIRST

AGE
WEIGHT 145 TO 145
HEIGHT 503 TO 503
RACE
SEX
BUILD
COMPLEXION
EYE COLOR
HAIR COLOR
HAIR STYLE
HAIR LENGTH
FACIAL HAIR
CLOTHING
CLOTHING

Birth:
Date:
Location: MO
Social Security No:
Marital Status:
Suspect Status: ADULT ARREST
Injury:
Description: NOT APPARENT
RESIDENCE ADDRESS:
Street:
City/State:
Telephone:(Res) Ext.
Arrest:
Date: 11/06/95
Time: 22:00
Officer/Asgmt: ASGMT #
Assisted by:
Local ID Number:
Miranda:
Yes/No: Y
Officer:
Charge Descr: 1) VMCSL POSSESSION COCAINE
Crime Catgry: FELON Date: 11/07/95
Document No: CN 95-164930
Charge Descr: 2) UUW CARRYING
Crime Catgry: FELON Date: 11/06/95
Document No: CN 95-164930

51

LAST PAGE

SUBMITTED BY

Sgt

Supervisor

Watch Commander

52

*Best Copy Available*

S C P C C 2 0 C 0

# METROPOLITAN POLICE DEPARTMENT - CITY OF ST. LOUIS
## PROPERTY RECEIPT

ORIGINAL REPORT ☒ SUPPLEMENTARY REPORT ☐
(INDICATE 'X' IN APPROPRIATE BOX)

FILE NO. FOR RECORDS DIV.

COMPLAINT NO. 5-164-93

| 1. TYPE OF INCIDENT | 2. ORIGINAL C.N. | 3. DIST. REPORTING | 4. DATE OF THIS REPORT |
|---|---|---|---|
| V.P.C.S.L. Lost Cash | 93-164936 | | 11-6-93 |

| 5. DATE AND TIME OF OCCURRENCE | 6. LOCATION OF OCCURRENCE | 7. DISTRICT | 8. LOCATION CODE |
|---|---|---|---|
| 11-6-93 2:00 pm | 4531 Natural Bridge | | |

| 9. VICTIM | 10. HOME ADDRESS |
|---|---|
| State of Missouri | |
| | 11. BUSINESS ADDRESS |
| | |

| 12. DATE RECEIVED | 13. TIME RECEIVED |
|---|---|
| 11-6-93 | |

| 14. RECEIVED FROM | NAME (print) | DSN | ASSIGNMENT |
|---|---|---|---|
| Billy | Jackson | 1403 | West Narc STL PD |

| 15. RECEIVED BY | NAME (print) | ADDRESS |
|---|---|---|
| Det. | | |

| 16. OWNED BY | ADDRESS |
|---|---|
| Unknown | |

| 17. QUANTITY | DESCRIPTION |
|---|---|
| - | $775.00 U.S. Currency |

53

| 18. RECEIVED BY | SIGNATURE | DSN |
|---|---|---|
| | | |

| 19. RECEIVED BY | SIGNATURE |
|---|---|
| | |

| 20. RELEASED BY | OFFICER | DSN | ASSIGNMENT | (SIGNATURE OF PERSON RECEIVING PROPERTY ONLY) |
|---|---|---|---|---|
| | | | | |

| 21. WITNESSED BY | SIGNATURE | 22. | 23. TELETYPE NO. | 24. REFERENCE NUMBER |
|---|---|---|---|---|
| | | | | |

PAGE 1 OF 1

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
1222 Spruce Street, Room 6-205
St. Louis, Missouri 63103
March 17, 1998

CE:MO:SO:

MEMORANDUM TO: Financial Crimes Enforcement Network (FINCEN)

FROM: Special Agent
St. Louis II Field Office

THRU: Group Supervisor
St. Louis II Field Office

SUBJECT: Request for Additional Investigation
FINCEN Internal Case Number

RE: Willie E. Boyd, ATF IN# 745519-97-0012

On June 30, 1997, a request for FINCEN assistance was submitted by Special Agent (SA) Bureau of Alcohol, Tobacco and Firearms (ATF) relative to the investigation of Willie E. Boyd, an armed career criminal and major narcotics trafficker. The case against Boyd is set for trial on April 13, 1997, in U.S. District Court in Eastern Missouri. In preparation for trial, Assistant United States Attorney (AUSA) Gary M. Gaertner has requested that FINCEN conduct financial and commercial database checks for the following individual, who is the fiancée of Boyd:

SSN:

Due to the impending trial date, it is requested that this request be ***expedited***.

Please forward the results of this inquiry to SA . at the above address. If there are any questions concerning this request, contact . at (314) 539

Thank you for your prompt attention to this matter.

Sincerely,

55

S Louis II .

56

TRACKING NO | 20 HOUR EXPIRATION 11/07/95 | DATE/TIME 18:00 | ADD'L A.R. # | PROCESSED | PAGE # 1 of 1 | ARREST NUMBER 95/6/0003334

CHARGES APPROVED BY: Ver # 1 | ST. LOUIS METROPOLITAN POLICE ARREST REGISTER | LID NUMBER | OCN NUMBER

| LAST NAME | FIRST NAME | MIDDLE NAME | JR/SR | LBNAME |
|---|---|---|---|---|
| JACKSON | BILLY 07-11-49 | M | | |

| RACE | SEX | AGE | DATE OF BIRTH | STATE | OPERATOR'S LICENSE NUMBER-STATE | MARITAL STATUS | COMPLAINT NUMBE |
|---|---|---|---|---|---|---|---|
| BLACK | MALE | 44 | 08/19/51 | MO | | SIN | |

| HEIGHT | WEIGHT | BUILD | COMPLEXION | EYES | HAIR | SOCIAL SECURITY NUMBER | DOMESTIC INCIDENT |
|---|---|---|---|---|---|---|---|
| 508 | 195 | MEDIUM | MEDIUM | BROWN | BLACK | 493-62-5241 | NO |

| HOME ADDRESS | CITY | STATE | ZIP CODE | (A.C.)HOME PHONE |
|---|---|---|---|---|
| 1403 E DESOTE | ST LOUIS | MO | 63107 | ( )652-022 |

| OCCUPATION | UNEMPLOYED | EMPLOYER (PRESENT OR LAST) |
|---|---|---|
| CLERK | | COLES MOTEL |

| BUSINESS ADDRESS | CITY | STATE | ZIP CODE | (A.C.)BUSINESS PHONE |
|---|---|---|---|---|
| 4531 NATURAL BRIDGE | ST LOUIS | MO | 63115 | 385-5131 |

SCARS, MARKS, TATTOOS (DESCRIPTION AND LOCATION), ARTIFICAL BODY PARTS, AMPUTATIONS, DEFORMITIES

| EMERGENCY CONTACT-NAME | ADDRESS | (A.C.)PHONE | CALL COMPLETED |
|---|---|---|---|
| | | ( ) | DSN 22:30 |

PRISONER LOCATION | RETURNED FROM AUTHORITY

| TIME ARRESTED | DATE ARRESTED | ARRESTING OFFICER | DSN | ASSIGNMENT | ASSIST DSN | ASSIST DSN | ASSIST DSN |
|---|---|---|---|---|---|---|---|
| 22:00 | 11/06/95 | | | | | | |

LOCATION OF ARREST: NATURAL BRIDGE | TIME BOOKED: 01:26 | DATE BOOKED: 11/07/95 | BOOKING OFFICER: WEATHERSPOON

| | CHARGES | DOC. NO. | OFF.DATE | MO CHG | NCIC | RSMo |
|---|---|---|---|---|---|---|
| 1 | POSS CONTROLED SUBSTANCE(F) | CN 95-164930 | 11/06/95 | | | 195.202, PAR 2 |
| 2 | UNLAWFUL USE WEAP FEL (F) | CN 95-164930 | 11/06/95 | | | 571.030 |
| 3 | | | | | | |
| 4 | | | | | | |

TIME STAMP: RECEIVED

HT(inches) 68 | WEIGHT 213 | HAIR BLK | EYES BRO

PHOTOGRAPH (Yes) No | 4 x 5 | 8 x 10 | GROUP PHOTO WITH ID NO.

PHOTO BY

PROCESSING OFFICE

PROCESSING CLERK

TIME STAMP: PROCESSED

...POLICE
...Missouri
...IDENTIFICATION SECT
No record
...ecord
7-95

NEW SCARS, MARKS, TATTOOS

PROCESSING NOTES
10 05 16 16 PM 03 03 10 13

ID RECORD (YES) NO

ID NO _ P & P _ LHH (DASH)

_ SS _ SHH _ NP _ NLC _ NEW 16

CLASS 10 0 5U 00 16
M 17 U III 13

REF. _ FBI #

OCN SID

SIGNATURE OF PERSON FINGERPRINTED: X Billy Jackson

RIGHT FOUR FINGERPRINTS TAKEN SIMULTANEOUSLY

57



SID

**********
*** TX REPORT ***
**********

TRANSMISSION OK

| | |
|---|---|
| TX/RX NO | 3401 |
| CONNECTION TEL | 8202927 |
| CONNECTION ID | ATF CHIEF COUNSE |
| ST. TIME | 04/01 15:33 |
| USAGE T | 01'38 |
| PGS. SENT | 3 |
| RESULT | OK |

Resident Agent in Charge
ST. LOUIS I FIELD OFFICE
Kansas City Field Division
1222 Spruce Street, Room 6.205
St. Louis, Missouri 63103

Phone: (314) 539-7100
Fax: (314) 539-7995

58

# Fax

Date: 4/1/02 Page 1 of 3 Pages

TO: CHIEF COUNSEL - DISCLOSURE, FORFEITURE & CRIM LAW

Attn: ___

FROM: S/A (314) 539- -DIRECT

SUBJECT: ROI, RE

COMMENTS: CALL ME IF YOU NEED ANY ADDITIONAL INFORMATION.

THANKS,

NONE OF THESE WERE TRACED. SENT THEM IN 01/26.

(69)

97 10/2/97

FM: *ATF, Kansas City Field Division* RE: 745519 97 0012
TO: *ATF, ADLE, HEADQUARTERS*
ATTN: *SAC, Systems Support Branch, Intelligence Division*
SUBJ: *Electronic Surveillance Request/Notification*

SAC Authorization Granted on dlg 10/2/97
SAC Extension Granted on _____.
SAC Authorization to Participate in Use By Other Agency Granted on _____.

This is not a proceeding under Title III, Public Law 90-351, due to the consent of one party, or because no audio will be intercepted.

This Investigation is *Sensitive* as Defined in Part II-A of the Attorney General's Memorandum Dated November 7, 1983.
This Investigation is *Not Sensitive* as Defined by DOJ Above.

*Reasons for Use:* Provide Protection for U/C Agent and/or Informant, Preclude the Defense of Entrapment, and/or Gather Evidence of Primary Violation: *Title* 18, *Section* 922 (g)(1).

Briefly Described as Follows:

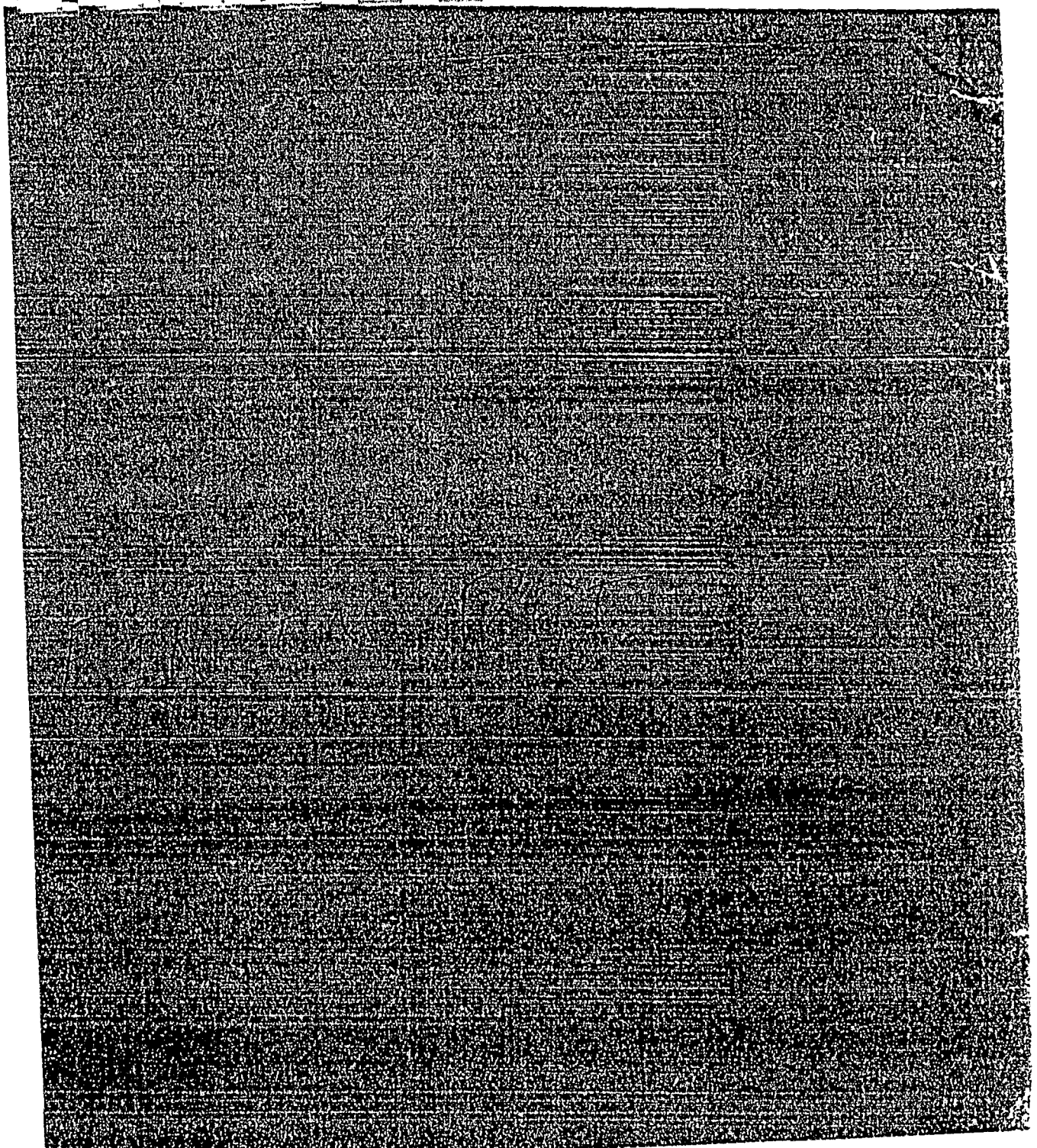
On 2/1/97 Willie E. Boyd, a convicted felon, was arrested by the U.S. Marshals Service in possession of a firearm and a large quanity of cocaine.

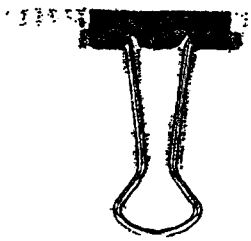
*Equipment to be Used:*

Tape Recorder
Transmitter with Remote Receiver and Recorder
Telephone Induction Coil with Tape Recorder
Other Federal Agency Equipment Utilized.

_____
Name, Title & Agency of Authorizing Individual, and Date.

(60)





Document # 62

63 Pages

Exemption (b)(3)
w/Criminal Procedure
Rule 6e

**MEMORANDUM OF CALL**

Previous editions usable

TO:

☐ YOU WERE CALLED BY— ☐ YOU WERE VISITED BY—

OF (Organization)

☐ PLEASE PHONE ▶ *(Enter area code, if necessary)* ☐ DSN

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

12/2000 Bill Clinton

| RECEIVED BY | DATE | TIME |
|---|---|---|
| | | |

NSN 7540-00-634-4018
50363-112

OPTIONAL FORM 363 (Rev. 7-94)
General Services Administration
*U.S. Government Printing Office: 1995 — 394-965

63

My name is I'm a senior officer here at the Federal Correctional Institution in Greenville, Illinois. Today's date is August 21, 1997. The time is now 4 p.m. I'm making a copy from the master logger of the phone call made by Inmate Willie Boyd, register number 18498-044, on May 13, 1997 at 6:47 p.m.

(phone being dialed)

(recording) - in order to process your collect call, please state your name at the tone - this is Loc-Tel - please stand by - please stand by - please go ahead, you are now connected.

Willie Boyd: Hello

Hey

Boyd: What's up baby?

How you doing?

Boyd: Oh, I'm alright.

That's good. (sigh) So what you think?

Boyd: You ever talk to

No, oh, he's supposed to call um, uh, what's his name back. I suppose he wants me to come tomorrow morning

Boyd: Who?

Uh , uh

64

Boyd: Uh-huh

But I, I have to go to the meeting tomorrow, but, I told him could I come tonight. See what I'm saying?

Boyd: I'm talking about the lawyer.

That's what I'm talking about - I was wondering if I could come tonight, you know, and talk to him but he had left and uh, so he's suppose to call when he gets home, so to find out, you know, what I can do, I mean you know, well, what did what's his name tell you?

Boyd: He was saying that he thought it was alright that you went.

So he said, he said he talked to the people, right?

Boyd: Well he talked to the lawyer.

So what he say?

Boyd: He said that he uh, he wasn't going to keep you long about 30 minutes

Uh huh

Boyd: and that he just wanted to talk to you about the pistol so they wouldn't try to charge with anything, that's what said, he said he knew him,

Oh did he?

Boyd: Yeah

Ok, but...

Boyd: He said he grew up with his father

Oh, ok. (inaudible)

Boyd: Where

Oh, he went to the mailbox, Want me to get him right quick?

Boyd. No

Ok

Boyd: I'll be on the phone. Ok, um, well just tell them the truth, you know, cause I didn't have a key to the apartment, that uh, we had fell out what back in October?

Uh huh,

Boyd: and uh, that you'd all come back periodically to call, and the day that I showed up, let me in the house, I got there about 6:00 and that was about the time you was getting off of work, right?

Uh huh, yeah,

Boyd: Would, wouldn't you say brought the bag over there about the end of November?

Um, yeah, a little, yeah in November.

Boyd: Yeah, about the end of November, the first of December, and that's when he showed you the pistol, and

Uh huh, and I thought he, he took it back out with him, but I didn't know he put it in the closet.

Boyd: Uh huh.

Yep, but, um,

Boyd: Didn't you say it had a infrared thing on it?

Yeah, but, you know, but he, when he called what's his name back, um, I was gonna um, just go by there so he could talk to me too, um

Boyd: Uh huh

So you to see, you know what he say, you know, a second opinion.

Boyd: Right, right

So you wanna do that?

Boyd: Yeah, uh huh,

So, um, I told, I told him I had to wait for you to call first before, um, I left to go anywhere.

Boyd: Uh huh.

Yeah, but other than that

Boyd: You remember you was telling me about that time he came in there and he was, he loaded the pistol up and left with it and then brought it back?

Yeah

Boyd: Yeah, but you never did go in the bag, but you knew he had one in there at one time.

Right.

Boyd: You know, you know what to say. Just tell the truth.

Yep, that's all I can do is just tell the truth.

Boyd: Yeah.

The truth will set you free. Um, You gotta a

card, I know you got a card today?

Yeah I got one today.

You didn't get your, um, your book?

Boyd: No, I ain't got no book.

I think they holding em or something, looking through them real good.

Boyd: (laughing) - I don't know, it ain't nothing but the Invisible Man and what's the other one?

Uh, Islamic Nation, or something, the yellow book, I'm gonna go to the mall, I saw some books, I saw some books in a magazine and they said it was available in your local store, it was in the, um, in the, um, Essence magazine, it was some book out by, one of them was a book by. I know the guy, what's his name, I don't know if you already had it, read it or anything,

Boyd: Huh?

A book by or something?

Boyd: No that's the Invisible Man,

No, somebody else named it was somebody named, I mean, last name or something?

Boyd: Um...

It was a black author, they had um, some of the top authors or something like that.

Boyd: Uh huh.

67

Yeah.

Boyd: Well, he only published one book, his other book was incomplete.

Well, it was another name, another man then.

Boyd: Uh huh. You said he went to the mailbox?

Yeah, he upstairs now. I'm downstairs in the basement putting these damn shoes back on

Boyd: So

Yeah,

Boyd: Oh, ok.

They just put whatever.

Boyd: Uh huh.

Yeah.

Boyd: Well take him down there with you.

Right, yeah, but he was saying if he, if he, he say he know he might not be able to make it but his partner, he say he can go down there with me, his partner um, um, partner,

Boyd: Uh huh

He said he, he go down with me, and um, even though I'm gonna hurt his side, you know, see what he say, yep, if he's talkin the same thing, you know, a different opinion.

Boyd: Yeah, well, it would be good for him to go down there, it can't hurt nothin.

No.

Boyd: You know and then, you know, that would be like protecting your rights too.

Right, what you say babe? (68)

Boyd: I said that would be like protecting your, tell :o pick the phone up.

Ok. (background - calling

Pick the phone up upstairs.

: Hello.

Boyd: Hey,

Uh huh.

Boyd: Now you know

Right.

Boyd: Ok. Now they gonna ask you some questions, just tell the truth, that you never saw me with a gun,

Right.

Boyd: Never. Ok, uh, uh, that you, that you seen bring the bag in and out that house before.

Uh huh

Boyd: Right?

Uh huh.

Boyd: And, uh, you saw him one day with the gun on the bed, you know what I mean.

Uh huh.

Boyd: and, and, you just went on back downstairs, right?

Uh huh.

Boyd: You know I didn't stay there, and I didn't have no key there.

Uh huh.

Boyd: And the day that I was there, I got there about 6:00, and we was watching TV in the bedroom, and I went to the bathroom, you was eating, you was eating dinner on the bed, in room, right?

Uh huh.

69

Boyd: You heard a knock on the door, you went downstairs and that's when they came in and I was coming out the bathroom, but you was downstairs.

Uh huh. Alright, I got it.

Boyd: Uh, had a key to the apartment,

Uh huh.

Boyd: He use to, he use to come and go and you never did question what he was doing.

Hello?

Boyd: Uh huh, I'm just thinking, and uh, you know that me and had fell out so you know that she had took her key.

Uh huh.

Boyd: You know what I'm saying?

Yeah

Boyd: That's about it, you probably know, you know, just tell the truth.

Uh huh.

Boyd: Can you think of anything else that he did baby?

Huh?

Boyd: Can you think anything else that he did?

No, I mean, the b-b-b-black bag, I didn't know that was in there,

Boyd: Huh?

The black bag, that I didn't know that he had, still left in the house. I remember him having a black bag, having the black, black bag, the last time he took it with him, but it was still in the closet,

70

Boyd: Uh huh

When, um, the marshals came in.

Boyd: Uh huh. But I mean, it, it had been there, right?

Right, I assumed he had took it out, but, me not really going in that closet that much, you know, so, I never did pay attention to the bag still being in there.

Boyd: I thought you said it was there all the time? And he use to come and go in it?

Right, but, I knew the bag was in there, but I never knew if, you know, if he ever took the bag out to put some more stuff in it, and, bring it back, or was he coming back and forth.

Boyd: You didn't know if he had left the gun in there or not?

Huh?

Boyd: You seen the gun before,

Right,

Boyd: But you didn't know if he had took it out.

Right.

Boyd: And you knew it was his gun?

Right, cause I told him I didn't want that gun in this house.

Boyd: Cause when you got into, when we got into it he was saying that you can have it for protection against me, right?

Right.

Boyd: Um huh.

Yep.

Boyd: Well you be on stage tomorrow.

Not something to be looking forward to.

Boyd: No, no, but you can handle it all.

Uh huh, I'm on point

Boyd: Keep your head up. Ok, that's all I wanted to say, I love you.

I love you too. (hangs up telephone)

Hello.

71

Boyd: Uh huh.

Hey.

Boyd: Uh, yeah, and tell him to don't volunteer nothing, let him ask stuff, you know.

Yeah, cause they're gonna all interview us separate anyway, right?

Boyd: Right.

Yeah. Yep, yep yep, (pause) So how was your day today?

Boyd: Oh, it was alright.

I saw today.

Boyd: Where was at?

She came up to get her check, and I'm going to get her tomorrow and bring her up this Thursday with me.

Boyd: Ok,

Yeah, oh, sweetie, ... as soon as she seen me she started to giggle and laugh so much, I knew she knew I knew she knew and she laughed and uh sweetie it almost brought tears to my eyes. You should have (inaudible) had little ponytails on it, she had like four little pigtails on her, her little hair sticking out, she looked so cute, and she was just a giggling and laughing while I was holding her and stuff, and she would say you come to me and she was like no, like move her hand like no, you know, and oh sweetie you should have saw her, she was so cute, yeah, really cute, yeah, so go and get her in the morning, and then I'm goin to get her tomorrow evening cause I go to the hairdresser and stuff, so I'm goin to get her tomorrow evening and uh, bring her Thursday with me.

Boyd: Uh huh.

you go to work Thursday? You go Thursday? OK, yep.

Boyd: Yeah, yeah, yeah, said that had been over there earlier that day too.

Oh really?

72

Boyd: Yeah.

Oh ok.

Boyd: You know, so don't let him forget to mention that. I guess around noon sometime.

Oh ok.

Boyd: Cause he just walked in and walked back out. Ok?

Yep. Yep.

Boyd: Yep, yep, yep, yep.

Yep, yep. I was telling I had to go right, Well they tell you you gotta go, yep.

Boyd: Did you tell him what for?

Yay, and nay.

Boyd: What you-mean?

It was the neighbors. On behalf of the neighbors.

Boyd: Oh, uh huh. Well,

There's no name on the thing anyway. It's just my name.

Boyd: Oh you showed it to him?

No, no, just in case, well I'm goin to show tomorrow, you know, he take my word for it, yeah

Boyd: Oh boy,

You know the guy I'm talking about, I told you what he said, (beeping), I said well, well I said why we gotta get inconvenience, hell, (inaudible) that's how they do it, the system, the Federal system, but he said that um, the um, the state is different, the state you can postpone, due to whatever, talking about you get, I said I ain't worried about no $45, hell, that ain't the point, me being inconvenienced, I gotta a meeting I gotta go to, where well the meeting at, that's not important where the meeting at, the point is that I'm being inconvenienced, hell.

Boyd: Well the phone's getting ready to cut off.

You'll call back.

Boyd: Yeah.

Alright.

73

(End of tape)

Document # 74
2 Pages
Exemption (b)(7)(C),
(b)(7)(D) and (b)(7)(F)

75

West Coast Post

LAW DEPARTMENT
THOMAS J. RAY
CITY COUNSELOR
314 CITY HALL
SAINT LOUIS, MISSOURI 63103
(314) 622-3361
Telecopier (314) 622-4956

CLARENCE HARMON
MAYOR

# FAX TRANSMISSION

| | | |
|---|---|---|
| To: | Fax Number: | Date: 11-27-00 |
| Fr | Pages: 6 (including cover sheet) | |
| If | encounter a problem with this transmittal, call (314) 622-3361 and ask for: | |

☐ URGENT ☑ FOR REVIEW ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Affidavit

76

Summary Judgment * on all counts for all parties

Appendix Exhibit A

CONFIDENTIALITY NOTE

THIS FACSIMILE TRANSMISSION CONTAINS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF RECEIVER NAMED ABOVE. ANY OTHER DISSEMINATION, DISTRIBUTION OR COPYING OF THIS TRANSMISSION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY COLLECT TELEPHONE CALL AND RETURN THE ORIGINAL TRANSMISSION TO US AT THE ADDRESS ABOVE VIA U.S. MAIL. TH

DEFENDANT'S EXHIBIT D

b

STATE OF MISSOURI )
) SS
CITY OF SAINT LOUIS)

IN THE CIRCUIT COURT CITY OF SAINT LOUIS, STATE OF MISSOURI

THE STATE OF MISSOURI TO ANY PEACE OFFICER IN THE STATE OF MISSOURI:

Whereas, a complaint in writing, duly verified by oath, has been filed with the undersigned Judge of this court, stating upon information and belief, and personal belief, that the following (contraband), (property) to-wit:

Crack Cocaine, Marijuana, Heroin, Weapons, U.S. Currency, Drug Transaction Records, and any other instruments of the crime,

(believed to have been used as means for committing the felony of)

Violation Missouri Controlled Substance Law (Sale and Possession)

(believed to be stolen) is being kept or held in the City and State and in,

1435 Desoto, described as a two story single family building made of wood and brick. The address is clearly marked. The building is located in the City of St. Louis, Missouri. ; and, Whereas, the Judge of this Court from the sworn allegations of said complaint and from the supporting written affidavits filed therewith has found that there is probable cause to believe that allegations of the complaint to be true and probable cause for the issuance of a search warrant therein;

Now, therefore, these are to command you that you search the said premises above described within 10 days after the issuance of this warrant by day or night, and take with you, if need be, the power of your city, and if said above described property or any part thereof be found on the said premises by you, that you seize the same and take same into your possession, making a complete and accurate inventory of the property so taken by you in the presence of the person from whose possession the same is taken, if that be possible, and giving to such person, a receipt for such property, together with a copy of this warrant, or, if no person be found in possession of said property, leaving said receipt and said copy upon the premises searched, and that you thereafter return the property so taken and seized by you, together with a duly verified copy of the inventory thereof and with your return to this warrant to this Court to be herein dealt with in accordance with law.

Witnessed my hand and seal of this Court on this 11 day of June 19 97

77

JUDGE

STATE OF MISSOURI )
) SS
CITY OF SAINT LOUIS)

# IN THE CIRCUIT COURT CITY OF ST. LOUIS
# STATE OF MISSOURI

I, [redacted] BEING DULY SWORN, DEPOSE and states upon information and belief, or personal belief that the following described (Contraband), (Property), to wit:

Crack Cocaine, Marijuana, Heroin, Weapons, U.S. Currency, Drug Transaction Records, and any other instruments of the crime.

(believed to have been used as means for committing the felony of)

Violation of Missouri Controlled Substance Law (Sale and Possession),

(believed to be stolen:) is now being held and kept at the following place in the said City and State, to wit:

1435 Desoto, described as a two story single family apartment building of brick and wood construction, address is clearly marked. The building is located in the City of St. Louis, Missouri. That the basis of the affiant's information and belief is contained in the attached affidavits of witnesses to facts concerning the said matter which affidavits are made a part hereof and are submitted herewith as a basis upon which this court may find the existence of probable cause for the issuance of said warrant.

Wherefore complainant prays that a search warrant be issued as provided by law.

Officer

Assistant [redacted] Attorney

Subscribed and sworn to before me this 1st day of June 19 01

at 10 A.M./P.M.

78

JUDGE

1435 Desoto

6-2-97

SEARCH WARRANT
JUDGE'S COPY

AFFIDAVIT IN SUPPORT OF A SEARCH WARRANT

I, Police Officer DSN being duly sworn depose the following to wit:

I have been a Police Officer with the St. Louis Metropolitan Police Department since and I am currently assigned to the

a black Female who he/she knows as 160-180 pounds, 5'3" - 5'5", medium complexion is allowing illegal narcotics to be sold and stored from her residence at 1435 Desoto. The informant stated that as allowed an individual named Willie Boyd to use her house to store his narcotics and monies obtained from illegal drug trafficking. It is to be noted that Willie Boyd is in custody for drug trafficking at the time of this writing. associates of Willie Boyd are continuing his drug trade, while he is in custody.

(79)

On 06-02-97, at 0800hrs. [redacted] DSN and I set up a surveillance point with an unobstructed view of the front of 1435 Desote. During the surveillance we observed several unknown black males walk up to the front door of 1435 Desoto and knock. The front door would be answered by a black male matching the description and pedigree of the two black subjects A black male would then make a hand to hand transactions with each transaction lasting approximatley one to three minutes.

It should be noted that Federal Marshall's arrested Willie Boyd hiding in the residence of 1435 Desoto.

A utilities check of 1435 Desoto revealed the name of DOB SSN

1435 Desoto is a single family brick structure with the address clearly marked. This dwelling is located within the city of St. Louis.

It is my firm belief that crack cocaine and heroin is being stored and distributed from this residence.

80

Subscribed and sworn to before me this 2nd day of June, 1997, at _____ a.m. p.m.

Best Copy Available

JUDGE

1/9/98

Affidavit of Search Warrant received and filed.

Application for Search Warrant received and filed.

Return and Inventory of Search Warrant received and filed.

81

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
1222 Spruce Street, Room 6-205
St. Louis, Missouri 63103-2818
November 13, 2000

783045:

MEMORANDUM TO: Special Agent in Charge
Kansas City Field Divisio

FROM:
St. Louis I Field Office

THRU: Group Supervisor
St. Louis II Field Office

SUBJECT: Request to locate Cooperating Individual

FILE NUMBER: 745519 97 0012

This memorandum will serve to document the efforts of Special Agent (SA) St. Louis I Field Office, to locate a cooperating individual relative to the investigation of Willie E. Boyd. On October 31, 2000. was instructed by U.S. District Court Judge E. Richard Webber to initiate efforts to locate the subject and arrange for the judge to speak with the individual on the telephone. Judge Webber requested to speak with the individual regarding information provided to the St. Louis Metropolitan Police Department (SLMPD) that is the subject of a federal lawsuit.

## CASE BACKGROUND

On February 1, 1997, the United States Marshals Service (USMS) arrested Willie Boyd, an armed career criminal, for a federal Parole Violation. Subsequent to his arrest, a Glock, 9mm caliber, semi-automatic pistol and 33 grams of cocaine was recovered from the residence. Boyd was previously convicted in U.S. District Court in the Eastern District of Missouri for Possession With Intent to Distribute Cocaine and Possession of an Unregistered Firearm in 1981. Boyd, a known narcotics trafficker in the St. Louis area, had previous arrests for homicides and at least six (6) felony convictions. The United States Attorney's Office requested ATF to assist with the prosecution of Boyd for the violation of federal firearms and narcotics laws.

On April 16, 1998, Boyd was convicted on nine (9) counts of the federal indictment following a bench trial in the matter. On October 2, 1998, U.S. District Judge Stephen Limbaugh sentenced Boyd to 276 months of incarceration and a six (6) year term of Supervised Release. Since being sentenced, Boyd has filed numerous appeals and is suing ATF, the United States Attorney's Office, United States Marshals Service and

82

the Bureau of Prisons (BOP) for Freedom of Information Act (FOIA) violations. Boyd and are currently suing the St. Louis Metropolitan Police Department (SLMPD) in federal court alleging violation of his civil rights and property damage. This lawsuit stems from the execution of a state search warrant at 1403 E. DeSoto, St. Louis, Missouri. Assistant United States Attorney (AUSA) Gary M. Gaertner and Boyd's narcotics trafficking was continuing during his incarceration and that narcotics, firearms and currency were being kept at the residence at 1403 E. DeSoto. contacted Mobile Reserve Unit officers and introduced them to the cooperating individual. The officers, in turn, conducted an independent investigation that led to the issuance of a state search warrant. One (1) firearm was recovered from the aforementioned residence.

The cooperating individual

After consultation with Richard L. Poehling of the United States Attorney's Office and St. Louis City Counselor attempted to locate the cooperating individual by utilizing the following investigative techniques:

- Ran the subject through computer indices
- Checked the subject for current employm ).
- Ran the subject and r utility
- Left a note 1 (no response).
- Contacted a FBI Agent and local police officer that dealt with the subject in the past to generate additional leads.

83

Document # 84
71 Pages
Exemptions (b)(2),
(b)(7)(C), (b)(7)(D) and
(b)(7)(F)

# Status of All Open Investigations

| Case No. | Investigation Title | Date Opened | Type Of Case | Type of Last Action | Date of Last Action | Next Due Date | Property (Yes/No) | E/S Due Date | Date Case Report Forwarded | # Def. | Comments |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 745519-97-0012 | Boyd, Willie | 02/27/97 | F | Mgmt. Log | 11/13/00 | 02/13/00 | Y | | | | Pending appeals - Memo to SAC |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | |

Violent History

NOTE: (Killed witness in case involving [redacted] Tabari / Reap) 1970's

Calif Corr. threatened with FED for PROB VIOL. of Sup

2/1/97 BOYD ARRESTED BY USMS W/GUN & DRUGS

2/13/97 US ATTORNEYS OFFICE ( REQUEST FOR ATF ASSISTANCE. (PROPERTY TAKEN IN Co

Investigation initiated

5/13/97 @ 4:45p Conversation btwn Boyd, alter

5/14/97

<1.

- during meeting

w/ AUSA

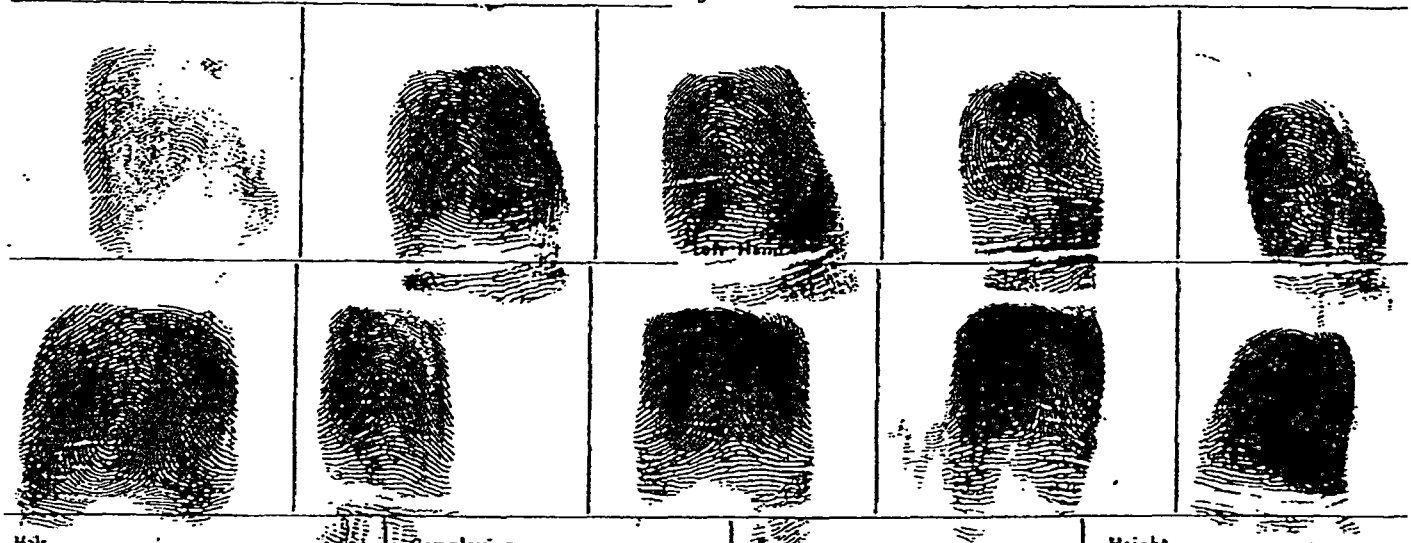
86

B No. 72453

NAME OSBORNE, WILLIE EDWARD CLASS

ALIAS REF.

Right Hand



| Hair | Complexion | Eyes | Height |
|---|---|---|---|
| BLK | DARK | BRN | 69" |
| **Weight** | **Age** | **Build** | **Occupation** |
| 163 | 26 | MED | CARPENT |

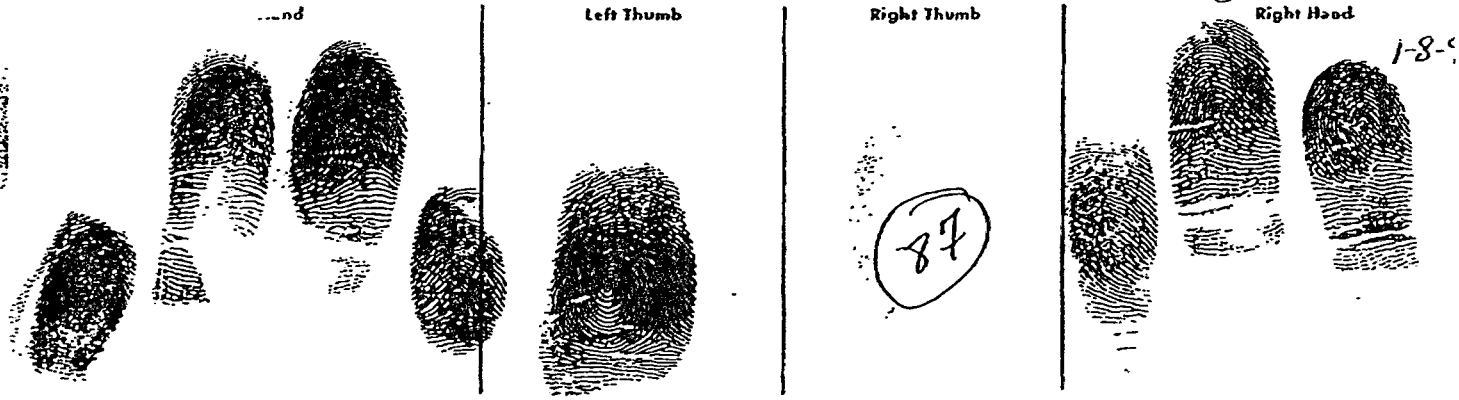
Rec'd at NRC-CMF Date APR 6 - 1976 County ALAMEDA Nativity MISSOUR

Offense CR6 Poss Firearm by Ex-Felon (12021 PC) Term 6 mo-15 Race NEGRO

Marks and Scars

Taken by ROAT Signature X Willie L Osborne

Left Hand Left Thumb Right Thumb Right Hand



1-8-

CDC-138

CALIFORNIA DEPARTMENT OF CORRECTIONS

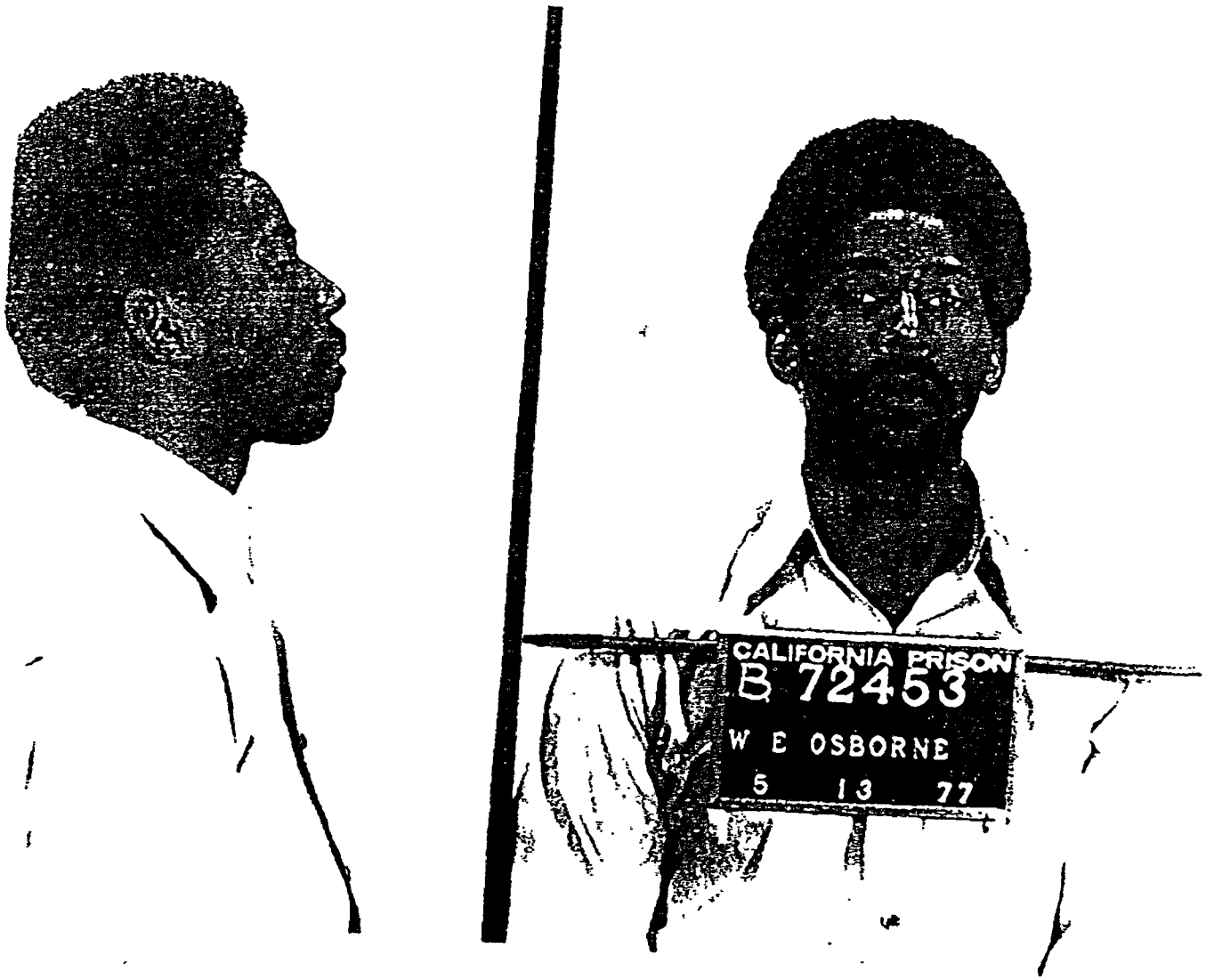
BEST COPY
AVAILABLE

88




I certify that this is a true and [illegible] copy of the original [illegible] contained in [illegible]

NOV [illegible] 1997




(89)

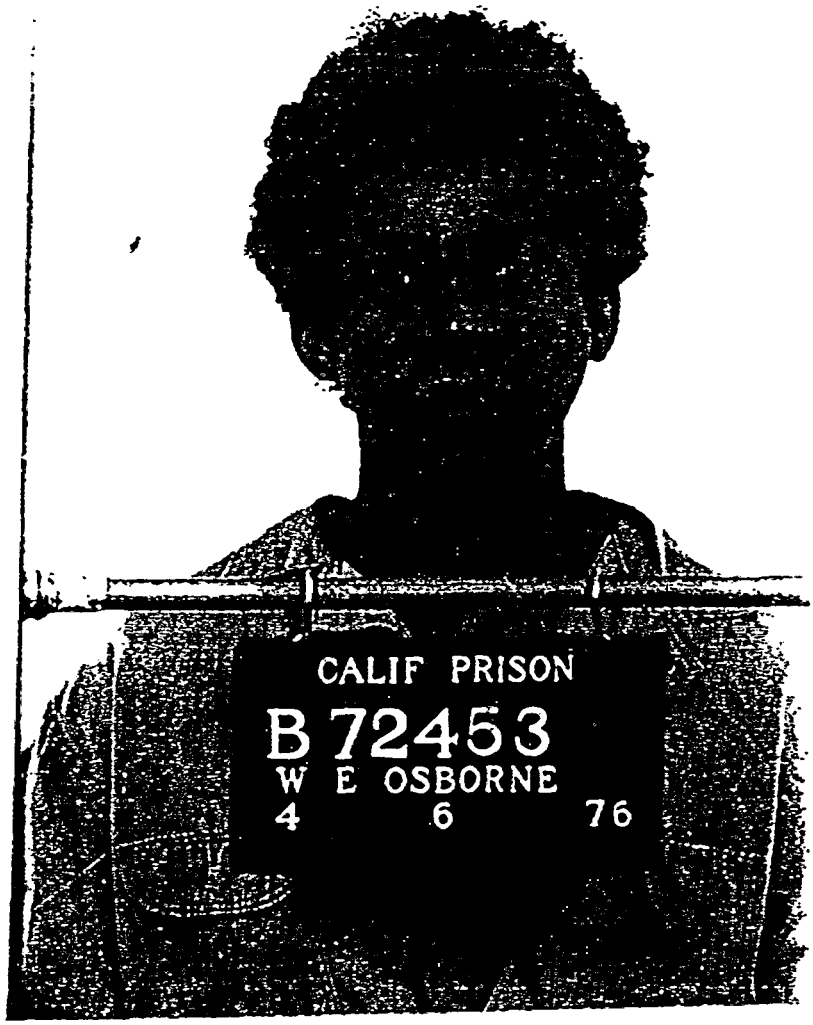
(90)




I certify that [illegible]

This date: NOV 2 0 1997






(91)

92




I certify that this is a true and [illegible]

NOV 20 1997

This date _____

(94)

3/07

Casino Queen employee,
in 1995, 96

- New

- Style of betting { bet was $50 on "pass line"
2 or 3 plain bet of $150 a piece
450 avg bet

(95)

was baseball cardinal but
sports memorabilia (card shot, shirt,
Galatia
- one of the biggest plays -
completed multiple transaction
log

talking about buying
that he went to Vegas to
watch fights.
went by Billy
did not know any other Billy Jackson

# EVIDENCE RECEIPT

METROPOLITAN POLICE DEPARTMENT
City of St. Louis
230
21st & Olive
Laboratory

Date Rec'd. 11-7-95

Laboratory No. 25 NOV 1 1 : 1 1

Victim State of Mo

Address

Suspect Billy M. Jones

District

Address 1403 Alaska Ave.

Officer

Offense Armed Ct

Date Occurred 11-6-95

Arrest Register No.

Complaint No. 164930

Artic's Ithaca Nickel Shotgun 4478
Make Number Style No.
ITHACA ACIER VIKING
RICHLAND

DELIVERED TO SHERIFF
DEC - 6 1995

Delivered By

Received By

Returned To

Date DEC 4 1995

MPD FORM LAB-13 (R-2)

90

# EVIDENCE RECEIPT

METROPOLITAN POLICE DEPARTMENT
City of St. Louis
**Laboratory**

Date Rec'd. 95 NOV 1 1:16
Laboratory No.
Victim State of mo
Address
District
Officer
Date Occurred 11-6-95
Complaint No. 164930

Suspect Jackson, Billy
Address 1403 Bacon
Offense Armed
Arrest Register No.

Article Smith & Wesson | Make | .455 | Caliber | Rev | Style | 58645 | No.

Delivered By Det
Returned To
MPD FORM LAB-13 (R 2)

Received By
Date DEC 4 1995

97

# EVIDENCE RECEIPT

METROPOLITAN POLICE DEPARTMENT
City of St. Louis
**Laboratory**

Date Rec'd. 11-7-95 95 NOV 1
Laboratory No.
Victim State of mo
Address
District
Officer
Date Occurred 11-6-95
Complaint No. 164930

Suspect Billy Jackson
Address 1403 Bacon
Offense Armed
Arrest Register No.

Article Ruger | Make | 357 MAG | Caliber | Rev | Style | DEFACED | No.
SECURITY Revolver

Delivered By Det
Returned To
MPD FORM LAB-13 (R 2)

Received By
Date DEC 4 1995

U.S. Department of Justice

*United States Attorney*
*Eastern District of Missouri*

*Gary M. Gaertner, 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*

January 5, 1998

VIA FAX-314-425-5568
Special Agent
BATF

RE: Willie Boyd

Dear Jim:

I have arranged the following meetings with the employees from the Casino Queen:

1. , January , 1998 at 9:30 a.m.;

2. January 1998 at 1 p.m.; and

3. January , 1998 at 9:30 a.m.

I am also setting up two more witness interviews.

Respectfully submitted,

EDWARD L. DOWD, JR.
United States Attorney

GARY M. GAERTNER, JR.
Assistant United States Attorney

98

| Casino Queen | MULTIPLE TRANSACTION LOG | GAMING IN EXCESS OF $2500 | RE: Billy Jackson A\|K\|A Willie Boyd |
|---|---|---|---|
| *Month* | *Net Win (Loss)* | *Cash Out* | *Cash In* |
| January-1995 | 0 | 0 | 0 |
| February-1995 | 0 | 0 | 0 |
| March-1995 | (7,515) | 8,120 | 15,635 |
| April-1995 | (3,190) | 0 | 3,190 |
| May-1995 | (810) | 18,275 | 19,085 |
| June-1995 | (10,046) | 0 | 10,046 |
| July-1995 | (12,227) | 15,000 | 27,227 |
| August-1995 | (7,965) | 9,205 | 17,170 |
| September-1995 | 1,190 | 31,720 | 30,530 |
| October-1995 | (9,350) | 0 | 9,350 |
| November-1995 | 3,150 | 8,810 | 5,660 |
| December-1995 | (6,890) | 3,700 | 10,590 |
| TOTAL-1995 | (53,653) | 94,830 | 148,483 |
| | | (99) | |
| January-1996 | (565) | 5,515 | 6,080 |
| February-1996 | 2,475 | 5,375 | 2,900 |
| March-1996 | 0 | 0 | 0 |
| April-1996 | (4,360) | 0 | 4,360 |
| May-1996 | 3,555 | 3,555 | 0 |
| June-1996 | 0 | 0 | 0 |
| July-1996 | (2,015) | 3,000 | 5,015 |
| August-1996 | (2,930) | 0 | 2,930 |
| September-1996 | 0 | 0 | 0 |
| October-1996 | 2,825 | 2,825 | 0 |
| November-1996 | 0 | 0 | 0 |
| December-1996 | 0 | 0 | 0 |
| TOTAL-1996 | (1015) | 20,270 | 21,285 |
| *TOTALS 1995 & 1996* | *(54,668)* | *115,100* | *169,768* |

(6)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RECEIVED
JAN 13 1998
U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

| | | |
|---|---|---|
| UNITED STATES OF AMERICA, | ) | |
| | ) | |
| Plaintiff, | ) | |
| | ) | |
| v. | ) | No. S1-4:97CR301 SNL |
| | ) | |
| WILLIE E. BOYD, | ) | |
| | ) | |
| Defendant. | ) | |

GOVERNMENT'S MEMORANDUM AND RESPONSE TO DEFENDANT'S PRETRIAL MOTIONS

100

COMES NOW the United States of America, by and through the United States Attorney for the Eastern District of Missouri, Edward L. Dowd, Jr. and Gary M. Gaertner, Jr., Assistant United States Attorney for said District, and files its response to defendant's pretrial motions.

The Government hereby submits to the Court this Motion Memorandum. This memo is not offered as a comprehensive statement of the Government's case. The purpose of this memo is to provide an outline of the Government's evidence to be presented at the motion hearing and is intended to be a guide for the Court and is not intended to be in the nature of a Bill of Particulars that would either fix or bind the Government to a set theory of proof.

**FACTS**

On November 7, 1995 at approximately 6:30 p.m., St. Louis Metropolitan Police Detectives Bobby Garrett, Charles Byersdorfer, and Robert Froehlich met with a confidential informant who advised that individuals were engaged in the sale of crack cocaine from

Cole's Motor Lodge at 4531 Natural Bridge. In the past, this confidential informant has provided information which has resulted in the conviction of more than twenty individuals for drug and weapon possession. Further, these detectives were aware at this time of numerous arrests for the sale of narcotics and weapon violations along with other violent crimes which have occurred at this location, either on its parking lot or inside the motel itself. This motel was well known to these detectives for major narcotics distribution. (101)

At approximately 9:10 p.m., these detectives set up surveillance of the Cole's Motor Lodge. During this surveillance, these detectives observed seven individuals approach the front door of the motel and enter the public area of the motel. At this time, these individuals would knock on an inside door at which time a transaction would take place between these individuals and an individual later identified as Billy Jackson. The transaction involved currency and other unknown items. Based upon these detectives' experience with narcotics, the fact that this motel was a major source for narcotics, and the information from the confidential informant, these detectives had no doubt that these were narcotics transactions.

At approximately 10:00 p.m., these detectives entered the public area of the motel which was open for business and approached the door from which the defendant had sold narcotics to investigate these drug sales. The detectives knocked on the door without indicating that they were police. Upon knocking on the door, the

defendant opened the door at which time these detectives observed a shotgun lying against the wall in the corner. Upon seeing these detectives and realizing that they were the police, the defendant attempted to close the door at which time the detectives heard a thud on the ground and an individual running.

Due to the fact that these detectives were aware of the violent history and drug sales from this motel, that the detectives observed what they believed to have been seven narcotics sales, and that upon opening the door to this room, these detectives saw an easily accessible shotgun and heard an individual running, these detectives feared for their safety and therefore, these detectives struggled to prevent the defendant from closing door for their protection. During this struggle, these detectives heard the toilet flushing.

(102)

Immediately upon entering the room, the detectives observed a Ruger .357 magnum firearm and a plastic bag with crack cocaine lying on the floor directly below where the defendant was standing and a Smith & Wesson .45 caliber firearm on the floor a couple feet away from the defendant. After the detectives entered the room which was an office, an individual by the name of Larry Hassell existed the restroom.

The detectives placed the defendant under arrest. The defendant was advised of his constitutional rights and was conveyed to the police station. At the station, these detectives seized $775 from the defendant's person in a search incident to arrest. The defendant also stated at the station that he is friends with

the owner of the motel and that he was on the premises waiting for his friend, adding that he did not take part in any illegal activity. He also stated that he kept a firearm for his own protection.

When the defendant was being booked at prisoner processing, he gave the false name, Billy Jackson, with false pedigree information to these detectives. The defendant then signed the booking sheet which contained these false statements.

**Legal Discussion** 103

At the time the detectives approached the office door, the detectives had a reasonable articulable suspicion that criminal activity was afoot. United States v. McMurray, 34 F.3d 1405, 1410 (8th Cir. 1994). Before the detectives arrived at the motel, they were aware that many narcotics sales took place at the motel and a reliable confidential informant had told them that individuals were selling crack cocaine from the motel. At the motel itself, the detectives witnessed seven transactions which they believed were narcotics sales based upon their experience.

The detectives approached and entered into the public area of the motel. At this point, the detectives were permitted to investigate these drug sales from the room. Id. and United States v. Locklin, 943 F.2d 838, 839 (8th Cir. 1991)(consensual encounter). Based upon the detectives' reasonable articulable suspicion that the individual later identified as the defendant was involved in narcotics sales, the detectives reasonably believed that he might be armed because weapons are associated with drug

sales. McMurray, 34 F.3d at 1410. The detectives knocked on the door and did not announce that they were police. The defendant voluntarily opened the door of the room which was an office in response to the knock, and thereby the defendant knowingly exposed to the public anything that can be seen through the open door. United States v. Peters, 912 F.2d 208, 210 (8th Cir.1990)(A search did not occur when the detective looked into the room through the open door).

(104)

Upon the defendant opening the door, the detectives saw a shotgun lying against the wall in the corner in plain view. Peters,912 F.2d at 910(any contraband in "plain view" was properly seized). Due to the fact that the detectives observed a readily available shotgun against the wall, heard an individual running, had seen several drug transactions, and knew of the violent history at the motel, exigent circumstances existed for the detectives to enter and seize that shotgun, because the officers had a "'legitimate concern for the safety' of themselves and others." United States v. Vance, 53 F.3d 220, 222 (8th Cir. 1995); United States v. McConnell, 903 F.2d 566, 569-570 (8th Cir. 1990)("the potential dangerousness of a loaded gun is ... measured by the surrounding circumstances."); and United States v. Arcobasso, 882 F.2d 1304, 1307 (8th Cir. 1989)(Proper to seize weapon to assure safety).

Upon entering the room to seize the shotgun for their safety, the detectives saw a piece of crack cocaine and a .357 Magnum revolver lying directly beneath where the defendant was standing

and a Smith & Wesson .45 firearm which was lying a couple feet away from the defendant. The detectives seized the crack cocaine and two firearms which were in plain view and placed the defendant under arrest. Peters, 912 F.2d at 910. The Government also contends that the detectives also had the right to enter the room to seize the shotgun, because they had probable cause based upon the fact that the shotgun was being used during a drug trafficking crime in violation of Title 18, U.S.C. 924(c). (105)

The defendant was advised of his Miranda rights after his arrest and the defendant's statement to the detectives was given voluntarily after his acknowledgment of his Miranda rights. Miranda v. Arizona, 384 U.S. 436 (1966) and United States v. Brown, 101 F.3d 1272(Miranda does not apply biographical data).

After the defendant's lawful arrest, the detectives conducted a search incident to arrest and recovered $775 from the person of the defendant. Chimel v. California, 395 U.S. 752 (1969).

For the foregoing reasons, the Government requests that the defendant's request to suppress any evidence and statements be denied.

Respectfully submitted,

EDWARD L. DOWD, JR.
United States Attorney

GARY M. GAERTNER, JR., #3167
Assistant United States Attorney
1114 Market Street, Room 401
St. Louis, Missouri 63101
(314) 539-

CERTIFICATE OF SERVICE

A copy of the forgoing was faxed this 13th day of January, 1998, to:

Carl Epstein
Attorney At Law
Indianapolis, Indiana
317-231-1106

GARY M. GAERTNER, JR.
Assistant United States Attorney

106

**********

GENERAL MESSAGE ROUTE SYSTEM
PRINT DATE:02/04/98 TIME:14:54

**********

MESSAGE NUMBER: 000800
TO : BUREAU OF ATF
FROM :
DATED : 02/04/98
SENDER ORI :

[illegible] SEQUENCE NUMBER

THIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE
RECORD REQUEST FOR FBI INDIVIDUAL'S RECORD W
WHEN ALL RESPONSES ARE RECEIVED FROM THE FOLLOWING SO
FBI - FBI
CALIFORNIA - STATE ID

END

**********
END OF MESSAGE
**********

107

**********

```
*                PRINT DATE:02/04/98 TIME:14:55                *
*                                                              *
****************************************************************

MESSAGE NUMBER: 000801
TO            :
FROM          :
DATED         : 02/04/98
SENDER ORI    :

              14.54 02/04/98       SAT7.

14:55 02/04/98
14:55 02/04/98



THE FOLLOWING RECORD PERTAINS TO FBI
                                    SID

RESTRICTED - DO NOT USE FOR EMPLOYMENT, LICENSING OR
             CERTIFICATION PURPOSES

** III MULTI STATE RECORD

DOB/07-11-1949  SEX/M  RAC/BLACK
HGT/509  WGT/160  EYE/BRO  HAI/BLK  POB/MO
NAM/01 OSBORNE,WILLIE EDWARD
    02 OSBORNE,WILLIE E
    03 BOYD,WILLIE E
    04 BOYD,WILLIE EDWARD
 FPC HENRY
 D  5 U OIO 18
 M 17 U III 13
 MNU/FBI-
     INN-CDC-
 ****
 10-05-75  CAIDALAMEDA CO

         01:496 PC-RECEIVE/ETC KNOWN STOLEN PROPERTY
         02:182 PC-CRIMINAL CONSPIRACY
         03:12303.3 PC-USE/ETC EXPLO/ETC/DVICE:INT:INJ/ETC
         04:12025 PC-CARRY CONCEALED WEAPON ON PERSON/VEH
         05:12031(A) PC-CARRY LOADED FIREARM:PUBLIC PLACE
            DISCR PD:ACTION PENDING
            12303.3 PC-USE/ETC EXPLO/ETC/DVICE:INT:INJ/ETC
 10-24-75  CAMCOAKLAND
            88349
         01:182 PC-CRIMINAL CONSPIRACY
            DISPO:DISMISSED/GRAND JURY INDICTMENT
         02:12303 PC-POSSESS DESTRUCTIVE DEVICE
            DISPO:DISMISSED/GRAND JURY INDICTMENT
         03:12303.3 PC-USE/ETC EXPLO/ETC/DVICE:INT:INJ/ETC
            DISPO:DISMISSED/GRAND JURY INDICTMENT
         04:496 PC-RECEIVE/ETC KNOWN STOLEN PROPERTY
            DISPO:DISMISSED/GRAND JURY INDICTMENT
            [illegible]
            DISPO:DISMISSED/GRAND JURY INDICTMENT
         06:12031(A) PC-CARRY LOADED FIREARM:PUBLIC PLACE
            DISPO:DISMISSED/GRAND JURY INDICTMENT
 ****
 04-06-76  CASDCORRECTIONS
```

108

02-06-78 DISPO:PAROLED
03-08-79 DISPO:DISCHARGED FROM PAROLE
**********
WANTS NOT CHECKED CR - PLEASE CHECK NCIC WANTS
**********

END OF RECORD
EOM
EOM
**********
* THIS MESSAGE CAME FROM NLETS. THE SENDING ORI APPEARS *
* IN THE MESSAGE HEADER. *
**********

**********
E N D O F M E S S A G E *
**********

**********
*
* GENERAL MESSAGE ROUTE SYSTEM *
* PRINT DATE:02/04/98 TIME:14:55 *
*
**********

MESSAGE NUMBER: 000803
TO : BUREAU OF ATF
FROM :
DATED : 02/04/98
SENDER ORI :

CCH/III SEQUENCE NUMBER

ATN/SA
THIS RECORD IS BASED ONLY ON THE FBI NUMBER IN YOUR REQUEST-
BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY
SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

FBI IDENTIFICATION RECORD

FOR EXPLANATION OF A CHARGE OR DISPOSITION IF NEEDED, COMMUNICATE
DIRECTLY WITH THE AGENCY THAT FURNISHED THE DATA TO THE FBI.

| NAME | FBI NO. | DATE REQUESTED |
|---|---|---|
| OSBORNE,WILLIE EDWARD | | 1998/02/04 |

109

110

# COUNTRYSIDE
## APARTMENT LEASE

THIS LEASE is made and entered into this 31st day of January, 96

by and between Saratoga Capital Inc., Agent for the owner as Lessor (herein referred to as "Company"), and

Billy Jackson, as Lessee(s) (herein referred to individually and collectively as "Tenant")

WITNESSETH: Company, for and in consideration of the rents, covenants and agreements hereinafter contained and hereby agreed to be paid, kept and performed, jointly and severally by Tenant and in reliance upon the statements and representations and which are agreed to be material made by Tenant in his Application for Tenancy, attached hereto and incorporated herein by reference, does hereby lease to Tenant and Tenant does hereby lease from Company, the following described Premises, for the term beginning on the 31st day of January, 19 96 and ending on the 30th day of January, 19 97 both dates inclusive unless sooner terminated as herein provided, to be occupied by Tenant and used solely as a private residence and for no other purpose:

1. RENTS: JANUARY SPECIAL: FEBRUARY RENT FREE OF 2 NO. EL ST.

Tenant hereby agrees to pay Company at its office located at 3708 [illegible] or at such other location as may be designated from time to time by Company, as the total rental for the Premises for said term, the sum of FOUR THOUSAND TWO HUNDRED SIXTY & NO/100 Dollars ($ 4,260.00) payable in equal monthly installments of THREE HUNDRED FIFTY-FIVE & NO/100 Dollars ($ 355.00), payable monthly in advance. The first such installment is to be paid on or before the first day of February, 1996. All like installments shall be due and payable in advance on or before the FIRST DAY of each calendar month thereafter until the total of said rental is fully paid.

B. Tenant agrees that if possession of the Premises is delivered to Tenant before the commencement date of this Lease, all terms, conditions, covenants and agreements contained herein shall apply from the date possession is delivered to Tenant. Rent for time, other than to the extent of abatement of rent from the date of the commencement of this Lease to the day possession is delivered to Tenant.

C. Tenant agrees that Company shall not be liable for failure to deliver possession of the Premises at the specified time other than to the extent of abatement of rent from the date of the commencement of this Lease to the day possession is delivered to Tenant.

D. Tenant further agrees that delinquency in payment of rent when due causes Company damages in the form of additional administrative and legal expenses. Should Tenant fail to pay Company any rent installment or other amounts when and as due hereunder, within five (5) days from the due date and without demand therefor, the amount of each such delinquent rent installment or other amount due shall be increased by the sum of Twenty-Five Dollars ($25.00) as additional and secured hereunder. In the event any single check delivered to Company hereunder by or for Tenant shall not be paid upon presentation to designated depository thereon, there shall immediately accrue a charge of Thirty-Five Dollars ($35.00) for each such dishonored check as additional rent and secured hereunder. In the event any single check is not paid upon presentation for payment, Company shall have the right to require all subsequent amounts payable under this Lease to be paid by Tenant in the form of cashier's check or money order, drawn on a local bank, and payable to Company without intervening endorsement or by such other medium and at such place as Company may by notice to Tenant direct. In addition, any delinquent rent installment or any other amount due hereunder shall bear interest at the rate of 10 percent (10%) per annum or at the maximum lawful rate, whichever is less, from the due date thereof until all amounts are due or paid. Any proceedings brought to enforce any of the provisions of this Paragraph 1 shall not constitute a forfeiture of this Lease, nor shall the provisions of this Paragraph 1 affect the right of Company to declare such a forfeiture of this Lease for failure to pay rent when due or for any other cause as set forth herein.

2. SECURITY DEPOSIT. Company hereby acknowledges that Tenant has deposited with Company the sum of THREE HUNDRED FIFTY-FIVE & NO/100 Dollars ($ 355.00) as security for damage to the Premises and for the full and faithful performance by Tenant of each and every term, condition, covenant, agreement, undertaking and obligation of Tenant under this Lease.

Tenant acknowledges that in the event of any default by Tenant, Company may apply all or any part of such security deposit to cure such default or to reimburse Company for any costs which it may incur by reason of such default. In such event, Tenant shall, upon demand by Company, promptly replace the amount of the security deposit so used by Company so that the security deposit throughout the term of this Lease shall at all times remain at the amount hereinabove set forth.

Tenant further acknowledges and agrees that IN NO EVENT SHALL SAID SECURITY DEPOSIT BE APPLIED BY TENANT FOR ANY RENT DUE UNDER THE TERMS OF THIS LEASE. Upon expiration of the term of this Lease, provided Tenant has returned the Premises to Company clean, in good order and repair, and in as good condition as when received, ordinary wear and tear excepted, and provided Tenant has surrendered possession of, and has returned all keys to the Premises, and further provided Tenant is not then in default under the terms of this Lease, then Company shall return such security deposit then being held by it to Tenant.

Tenant and Company acknowledge and agree that should Company sell or transfer the security deposit then being held by it hereunder to its grantee or transferee, and such grantee or transferee shall be deemed substituted by novation for Company as Lessor under this Lease. Thereafter, Company's liability to Tenant for the return of such deposit shall cease.

3. TENANCY. Tenant hereby agrees that no person, other than Tenant as described on his Application for Tenancy, may occupy or live in the Premises without prior written consent of Company.

4. CONDITION OF PREMISES. Tenant hereby agrees that at the time Tenant has examined the Premises that same are in good, clean and acceptable condition, that all furnished items and appliances are in good, clean, working order and repair except for those items, if any, expressly set forth in any written Addendum to this Lease, if any, executed in writing by both Tenant and Company, and that the Premises and all such items will be maintained by Tenant and returned to Company upon expiration or termination of this Lease in as good condition as when received, ordinary wear and tear excepted. Tenant further acknowledges and agrees that no representations have been made by Company or by any of its agents or representatives as to repair, maintain, alter or improve the Premises. Tenant shall not alter, improve or affect the Premises nor anything therein without the written consent of Company. Any such alterations, improvements or additions, including, but not limited to, wall coverings, paneling and built-in cabinets, but excepting movable furniture and trade fixtures, shall become the property of Company upon expiration or termination of this Lease without obligation of Company to pay for same or remove same. Anything done contrary hereto and any alteration or changes made with or without the consent of Company shall, at the option of Company, be restored by Tenant at the sole expense of Tenant to original condition before vacating the Premises.

Tenant acknowledges receipt of keys to the Premises. All keys received by Tenant from Company or reproduced by Tenant during the term of this Lease shall be returned to Company upon termination of this Lease, whether Tenant shall have [illegible]

AGREEMENT: Lease Begin Date . 1/31/96 MONTHLY Rent $ 355.00
Lease End Date.. 1/30/97 CHARGES- Utilities . $ 0.00
Other..... $ 0.00
Total..... $ 355.00

Move Out Date..... 12/10/96

OCCUPANCY: Months on Property: 10 Notice Received: 12/10/96 #NSFs: 0

SECTION 1. DEPOSITS:
Security Deposit..... $ 355.00
Pet Deposit..... $ 0.00
TOTAL DEPOSITS. ... . . . $ 355.00

SECTION 2. COSTS/CHARGES OUTSTANDING:

A. CURRENT BALANCE DUE -
Rent..... $ 1178.33
Utilities..... $ 0.00
Other..... $ 329.50
TOTAL CURRENT BALANCE:.... $ 1507.83

B. ADDITIONAL FEES -
Termination Fee..... $ 0.00
Improper Notice Fee..... $ 0.00
TOTAL FEES..... $ 0.00

C. DAMAGE/MAINTENANCE CHARGES -
Pet Damage..... $ 0.00
Other Damage Codes - DMG $ 220.00
TOTAL DAMAGE..... $ 220.00
TOTAL NOW DUE..... $ 1727.83

SECTION 3. SUMMARY:

A. SECURITY DEPOSIT -
Deposit..... $ 355.00
(less) Current Balance Due..... $ 1507.83
(less) Additional Fees..... $ 0.00
(less) Damages (Excluding Pet)... $ 220.00
AMOUNT DUE OWNER..... $ 1372.83

B. PET DEPOSIT -
Deposit..... $ 0.00
(less) Pet Damage..... $ 0.00
AMOUNT DUE OWNER..... $ 0.00

TOTAL AMOUNT DUE OWNER.... $ 1372.83

111

COMMENTS: _____

_____

DATED: 12/11/96 by _____

of SARATOGA CAPITAL, INC., AGENT

Last Returned Item:
# Returned Items: 0

Deposits: 0.00
Total: 1372.83

| Date | Unit No. | Status | Source | By | Mode | Refer | From | Thru | Name/Reason | Rent | Code | Other | Total | Balance |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 7/01 | 50-1793- | Resd | | | | MNTHLY | 7/01 | 7/31 | | 355.00 | | | 355.00 | 355.00 |
| 7/05 | 50-1793- | Resd | | | CK | MO | 7/01 | 7/31 | JACKSON | -355.00 | | | -355.00 | 0.00 |
| 8/01 | 50-1793- | Resd | | | | MNTHLY | 8/01 | 8/31 | | 355.00 | | | 355.00 | 355.00 |
| 8/05 | 50-1793- | Resd | | | CK | MO | 8/01 | 8/31 | JACKSON | -360.00 | | | -360.00 | -5.00 |
| 9/01 | 50-1793- | Resd | | | | MNTHLY | 9/01 | 9/30 | | 355.00 | | | 355.00 | 350.00 |
| 9/09 | 50-1793- | Resd | | | | LATCHG | 9/06 | 9/30 | | 0.00 | LAT | 25.00 | 25.00 | 375.00 |
| 9/25 | 50-1793- | Resd | | | | CHARGE | 2/13 | 9/30 | A/C | 0.00 | A/C | 213.50 | 213.50 | 588.50 |
| 10/01 | 50-1793- | Resd | | | | MNTHLY | 10/01 | 10/31 | | 355.00 | | | 355.00 | 943.50 |
| 10/08 | 50-1793- | Resd | | | | LATCHG | 10/06 | 10/31 | | 0.00 | LAT | 25.00 | 25.00 | 968.50 |
| 11/01 | 50-1793- | Resd | | | | MNTHLY | 11/01 | 11/30 | | 355.00 | | | 355.00 | 1323.50 |
| 11/07 | 50-1793- | Resd | | | | LATCHG | 11/06 | 11/30 | | 0.00 | LAT | 25.00 | 25.00 | 1348.50 |
| 11/07 | 50-1793- | Resd | | | | CHARGE | 11/01 | 11/30 | EVICT | 0.00 | A/C | 16.00 | 16.00 | 1364.50 |
| 12/02 | 50-1793- | Resd | | | | MNTHLY | 12/01 | 12/31 | | 355.00 | | | 355.00 | 1719.50 |
| 12/09 | 50-1793- | Resd | | | | LATCHG | 12/06 | 12/31 | | 0.00 | LAT | 25.00 | 25.00 | 1744.50 |
| 12/10 | 50-1793- | Resd | | | | NOTICE | 12/11 | 12/31 | | -236.67 | | | -236.67 | 1507.83 |
| 12/11 | 50-1793- | Prev | | | | NEWCHG | n/a | n/a | | 0.00 | DMG | 220.00 | 220.00 | 1727.83 |
| 12/11 | 50-1793- | Prev | | | | DEPFOR | n/a | n/a | | 0.00 | OTH | -355.00 | -355.00 | 1372.83 |

112

113

SUBFLOOR _____ NEW D/W _____ TRASH OUT X TILE JOB _____

TUB KIT _____ W/P KIT _____ W/P 1/2 B. _____ W/P FULL B. _____

WINDOWS BROKEN _____ WINDOW MISSING _____ PATIO FOGGED _____ SIDE LIGHT _____

CARPET REPLACED _____ VINYL KITCHEN _____ VINYL 1/2 B. _____ VINYL FULL B. _____

EXTERIOR _____ FALSE ART _____ OTHER _____ REPAIR WOOD SILL _____

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | Thermostat | | | | | |
| | | | Furnace | | | | | |
| | | | Hot Water Heater | | | | | |
| | | | Walls & Ceiling | | | | | |
| | | | Electrical Switches & Outlets | | | | | |
| | | | Flooring - Tile or Carpet | | | | | |
| | | | Utility Closet Doors | | | | | |
| | | | Coat Closet & Door(s) | | | | | |
| | | | Linen Closet Shelves & Door | | | | | |
| | | | Light Fixtures | | | | | |
| | | | Smoke Alarm/Battery UL UA | | | | | |
| | | | KITCHEN: | | | | | |
| | | | Refrigerator | | | | Ice Trays | 10 |
| | | | Range & Oven | | | | | |
| | | | Rangehood & Fan | | | | | |
| | | | Sink & Counter Top | | | | | |
| | | | Disposal | | | | | |
| | | | Cabinets | | | | | |
| | | | Light Fixtures | | | | | |
| | | | Dishwasher | | | | | |
| | | | Pantry Shelves & Door | | | | | |
| | | | Walls & Ceiling | | | | | |
| | | | Microwave | | | | | |
| | | | Flooring, Tile or Carpet | | | | | |
| | | | Wallpaper | | | | | |
| | | | Heat Vents | | | | | |
| | | | Electrical Switches & Outlets | | | | | |
| | | | Stairwell | | | | | |
| | | | DINING ROOM: | | | | | |
| | | | Breakfast Bar Top & Paneling | | | | | |
| | | | Carpet | | | | | |
| | | | Light Fixtures/Ceiling Fan | | | | 2 Blades | 20 |
| | | | Electrical Switches & Outlets | | | | | |
| | | | Walls & Ceiling | | | | | |
| | | | Baseboards | | | | | |
| | | | Patio Door/Vertical Blind | | | | | |
| | | | Heat Vents | | | | | |
| | | | LIVING ROOM: | | | | | |
| | | | Carpet | | | | | |
| | | | Blinds | | | | | |
| | | | Walls & Ceilings | | | | | |
| | | | Heat Vents | | | | | |
| | | | Window & Screens | | | | | |
| | | | Electrical Switches & Outlets | | | | | |
| | | | Trash Removal | | | | Hauled | 150 |
| 1 | 2 | 3 | BEDROOM(S): | 1 | 2 | 3 | | |
| | | | Carpet | | | | | |
| | | | Blinds | | | | | |
| | | | Windows & Screens | | | | | |
| | | | Closet Shelves & Rod | | | | | |
| | | | Sliding Closet Door | | | | | |
| | | | Light Fixtures | | | | | |
| | | | Walls & Ceiling | | | | | |
| | | | Electrical Switches & Outlets | | | | | |
| | | | Doors & Door Frames | | | | | |
| | | | Electrical Switches & Outlets | | | | | |
| 1 | 2 | 3 | BATHROOM(S) (or 1/2 Bath): | 1/2 P | FB | 3 | | |
| | | | Bath Tub | | | | | |
| | | | Tub Enclosures | | | | | |
| | | | Rod | | | | | |
| | | | Sinks | | X | | Chip | 75 |
| | | | Commodes | | | | | |
| | | | Lavatories | | | | | |
| | | | Medicine Cabinets | | | | | |
| | | | Mirror & Frames | | | | | |
| | | | Ceramic Tile | | | | | |
| | | | Ceramic Fixtures | | | | | |
| | | | Floors, Tile or Carpet | | | | | |
| | | | Linen Closet Shelves & Door | | | | | |
| | | | Walls & Ceiling | | | | | |
| | | | Wallpaper | | | | | |
| | | | Light Fixtures | | | | | |
| | | | Electrical Switches & Outlets | | | | | |
| | | | Shower Stall & Door | | | | | |
| | | | Heat Vents | | | | | |
| | | | 1/2 Bath Only | | | | | |
| | | | Full Bath Only | | | | | |
| | | | GENERAL NOTATIONS: | | | | | |
| | | | Extraneous Odors | | | | | |
| | | | Evidence of Animals | | | | | |
| | | | Front Balcony | | | | | |
| | | | Entrance Door Keys | | | | | |
| | | | Condition of Patio/Balcony | | | | | |

Signature of Resident after Move-In Inspection _____ Date _____

Signature of Inspector _____

"Upon vacating I understand I will be charged damages in the amount on the reverse side of this check list"

FAILURE TO RETURN THIS FORM TO THE MANAGEMENT OFFICE WITHIN 7 DAYS AFTER MOVE-IN WILL BE CONSIDERED AS THE RESIDENT'S ACCEPTANCE OF THE APARTMENT

CARPET BE _____ MICROWAVE _____

114

Pro On-Site

MOVE IN

9/23/9

Unit No..: 50-1793 ~~30-1793~~

Day Phone: 385-5131

APPLICANT NAME(S)

Billy Jackson

BALANCES AND MOVE-IN FEES

Current Balance Due.. 11,83

Sec. Deposit Charge.. 355 00

Pet Deposit Charge..

Non-Refundable Fee...

LEASE TERMS

Move-In....1-31-96

Lease Begin 1-31-96

Lease End..1-30-97

NSF Charge.

MTM Fee....

1st Late Day...

1st Late Charge

2nd Late Day...

2nd Late Charge

Daily Late Chg.

( $ Special Free Feb )

AM

Mailed 1/29/96

115

# COUNTRYSIDE
## PET RESPONSIBILITY ADDENDUM

SPECIAL PET RESPONSIBILITY CLAUSE ADDENDUM TO THE LEASE is made and entered into this 31st day of January, 1996, for the following described premises, in the County of Saint Louis, State of Missouri, known as 50-1793 Sagunto Court (Premises)

A. IT IS HEREBY AGREED BY AND BETWEEN TENANT AND COMPANY THAT Company will allow Tenant to have the following described pet, and no others, in the Premises upon and subject to the terms and conditions of this Lease and this Addendum, and Tenant agrees to comply therewith.

1. DESCRIPTION OF PET
   Animal Species NONE
   Potential Size at Maturity _____
   Color _____
   Other Characteristics _____

   Tenant hereby acknowledges that an inaccurate description of the pet shall cause revocation of this consent.

2. Tenant hereby deposits an additional _____ Dollars ($_____) as an added money security under this Lease for the privilege of keeping the pet herein described. Tenant further agrees to pay an additional _____ Dollars ($_____) per month rental while the pet is in the Leased premises and until Tenant provides Company with written notice that the pet is no longer in the Premises.

3. Tenant hereby agrees that the pet shall not be left unattended at any time, while outside the Premises. Further, the pet shall not be allowed outside the Premises unless it is held on a leash in the custody of a responsible person.

4. Tenant hereby agrees that the pet shall not be curbed on patios, balconies, entranceways, walkways, sidewalks, parking facilities, recreational facilities, trees, shrubbery or flowers. Tenant shall promptly remove all pet's waste and dispose of same.

5. Tenant hereby agrees to assume responsibility for, and shall promptly pay for, any damage caused by the pet to the Premises and its appurtenances or to any other property of Company within the Complex. Tenant's responsibility and liability is to include the repair or restoration of each damaged item to its former condition and/or its replacement when deemed necessary, in the sole judgement of Company.

6. Tenant hereby agrees to promptly put the pet out for board or otherwise permanently remove the pet from the Premises if the pet becomes a nuisance to, or interferes with, in the sole judgement of Company, the peaceful occupancy of other residents of the complex or of inhabitants of the neighborhood. Tenant further agrees to promptly put the pet out for board or otherwise permanently remove the pet from the Premises if Company shall subsequently revoke this consent.

7. Tenant agrees that, upon request by Company, Tenant shall furnish Company with a copy of Comprehensive Personal Liability Policy covering any loss or injury due to said pet to Company, its employees and any other resident, guests, servants, visitors, etc. or to any of their property located within the Complex and which the Premises are located.

Dated _____, 19____

_____ Tenant

_____ Tenant

_____ Tenant

COUNTRYSIDE

By _____ Authorized Agent for Company

B. IT IS HEREBY AGREED BY AND BETWEEN TENANT AND COMPANY THAT Tenant hereby warrants to Company that he has no animal or pet. Tenant shall not bring an animal or pet into the Premises during the term of this Lease without the prior written consent of Company. In the event that Company consents to allow Tenant to bring an animal or pet into the Premises, Tenant shall immediately execute a new Pet Responsibility Addendum subject to all terms and conditions of this Leased and to the Rules and Regulations of Company. Tenant shall immediately deposit the required added money security deposit under this Lease for the privilege of keeping a pet. Further, Tenant shall immediately remit the required additional per month rental while the pet is in the Premises.

Dated January 31, 1996

Billy Jackson Tenant

COUNTRYSIDE

116

COUNTRYSIDE

NOTE: All utilities must be put into residents name from this day forward 1-31-96.

(Union Electric phone: 342-1111)

I, the undersigned, do acknowledge receipt of an Apartment Checklist, which I received along with my Move-In packet on 1-31-96. I understand that the Apartment Checklist must be completed and returned to the Business Office within seven (7) days from above date. White copy is for my permanent file and yellow copy is mine to keep.

I further understand that if this Checklist is not returned, I will be liable for any and all damages noted on the Apartment Checklist which is completed upon vacating said premises 50-1793 Sagunto Ct.

In addition, I understand that if my rent is not paid on the 1st of every month, it will be turned over for collection to Countryside Legal Department at which time attorney fees and court costs will be charged to my account.

Upon vacating the said premises: I fully understand that a thirty (30) days notice is required by complex, as well as keys being returned to the Business Office.

If I fail to give thirty (30) days notice, in writing, or fail to return said keys, I accept full responsibility for all charges incurred.

1. One full months rent will be charged to resident by complex, for failing to give full notice. (Up to, but not to exceed).
2. Rent will continue to be incurred by resident until keys have been surrendered by resident, to complex.

Residents Signature
Billy Jackson

Residents Signature

Residents Signature

Residents Signature

Agent for Countryside Apts.

UNIT DESIRED 1 Bdrm Unit Date ____ 19 ____

(Please Print)

NAME 1) Billy Jackson Age 44 Birthdate 05/19/51 Social Sec. # 493-62-5241

NAME 2) (Spouse's Name & Maiden) Age ____ Birthdate ____ Social Sec. # ____

TELEPHONE 652-0229 (Home) 755-5171 (Business)

PRESENT ADDRESS 1603 E. DeSoto St. (Street) Carlsbad (City) NM (State) 88220 (Zip) 3 yrs. (Length of Residence)

A) PRESENT LANDLORD (Name) ____ (Address) ____ (Phone) ____ $ 250.00 (Rent Paid)

or

B) HOME MORTGAGE X (Mortgagee) ____ (Address) ____ (Term) ____ (Mo. Payment)

PREVIOUS ADDRESS 4212 Shaw St. (Street) Carlsbad (City) NM (State) 88220 (Zip) 4 yrs. (Length of Residence)

PREVIOUS LANDLORD ____ (Name) ____ (Address) ____ (Phone) $ 238.00 (Rent Paid)

OTHER PERSONS TO OCCUPY APARTMENT

| Name | Relationship | Birthdate |
|---|---|---|
| X | | |
| | | |
| | | |

DO YOU OWN ANY PETS: ☐ Yes ☒ No If Yes, Type ____ Lbs. ____

11 X

| (1) | (2) SPOUSE'S |
|---|---|
| PRESENT EMPLOYER Lee Cole's Motel | PRESENT EMPLOYER ____ |
| ADDRESS 4531 Artesia Blvd | ADDRESS ____ |
| DATES OF EMPLOYMENT June 1985 | DATES OF EMPLOYMENT ____ |
| POSITION Maintenance | POSITION ____ |
| NAME OF SUPERVISOR ____ | NAME OF SUPERVISOR ____ |
| TELEPHONE ____ | TELEPHONE ____ |
| GROSS MONTHLY INCOME $1360.00 | GROSS MONTHLY INCOME ____ |
| DRIVERS LICENSE # 493-62-5241 | DRIVERS LICENSE # ____ |
| AUTOMOBILES OWNED QSL-651 (License #) | 81C (State) Mercedes (Make) 81 (Year) |
| PREVIOUS EMPLOYER Hendricks Auto Broker | PREVIOUS EMPLOYER Chevron Food & Die |
| ADDRESS 4711 Page PHON ____ | ADDRESS 4911 E. Univ PHONE ____ |

FINANCIAL REFERENCE

BANK Merchantile Bank ACCOUNT # NA ☐ CHECKING ☐ SAVINGS ☐

ACCOUNT # ____ ☐ CHECKING ☐ SAVINGS ☐

VISA OR MASTER CHARGE NUMBERS ____

CREDIT ____ (Name) ____ (City) ACCOUNT # ____

CREDIT ____ (Name) ____ (City) ACCOUNT # ____

LOAN ____ (Bank or Co.) ____ (Purpose) MO. PAYMENT ____

LOAN ____ (Bank or Co.) ____ (Purpose) MO. PAYMENT ____

HAVE YOU EVER BEEN EVICTED OR SUED FOR PAYMENT OF RENT? N. IF YES, INDICATE WHEN SUCH ACTION WAS TAKEN, WHERE (CITY AND STREET ADDRESS), BY WHOM, FOR WHAT REASON AND THE OUTCOME OF THE ACTION.

NAME AND ADDRESS

NAME ____ ADDRESS ____ PHONE

C A deposit of $ _____ is made herewith. If the application is approved said deposit will be held, without interest, as (partial, full) security for the performance of the covenants of the lease and as a damage deposit. The full security deposit will be $ 150.00

D Applicant(s) hereby authorizes Lessor to procure a "consumer report" as defined in the Fair Credit Reporting Act, 15 U.S.C. § 1681 a(d), seeking information on the credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living of applicant(s). Applicant(s) tenders, in addition to any security deposit, the amount of $ 25.00 which applicant(s) acknowledges is the cost of procuring a consumer credit report, employment verification, character references and other administrative set-up costs. This fee is non-refundable.

E Applicant(s) is not now renting any residence in a name other than that listed above.

F Applicant(s) agrees to sign a 1 year lease commencing 1/31, 19 96 at a rental of $ 355.00 monthly in the apartment unit number known as: 5C-1793 Saguaro Ct

G Until Lessor executes and tenders a lease to applicant(s), Lessor shall have the right to reject this applicant(s) for whatever reason

SIGNATURE OF APPLICANT(S): X Billy Graham DATE X 1-29-96

(FOR OFFICE USE ONLY)

APPLICATION REVIEW

A EMPLOYMENT VERIFICATION - NAME no for Spokane supervisor Maintenance Dept. Spoke with Cindy Stamm 1.30.96 verified

B LANDLORD REPORT - NAME Spokane with verified from her for 3 yrs

C PERSONAL REFERENCE - NAME _____

MOVE IN INFORMATION

| | | | |
|---|---|---|---|
| Pro-rata rent ___ days @ $ ___ = $ | 11.83 | Application taken by | 1-29-96 |
| Next month's rent, if applicable | FREE | Approved ___ yes ___ no | |
| Application fee, non-refundable | 25.- | Co-signer needed ___ yes ___ no | |
| Security deposit | 355.- | Application rejected by | |
| Pet deposit | — | Date rejected | |
| Delivery charge, furnished apts. | — | Reason rejected | |
| Less initial amount paid | 25.- | | |
| Total due at signing of lease by | 341.83 | | |

118

CASHIER'S CHECK OR MONEY ORDER _____

Additional Information _____

MUST SHOW PICTURE ID WHEN SIGNING LEASE.

CO-SIGNER MUST BE PRESENT WHEN SIGNING LEASE, IF APPLICABLE.

ALL PARTIES ON LEASE MUST BE PRESENT AT TIME OF SIGNING.

ALL MONIES, EXCLUDING APPLICATION FEE, WILL BE RETURNED IF REJECTED BY COUNTRYSIDE OR IF APPLICANT CANCELS WITHIN 72 HOURS.

$20.00 Occupancy Permit fee

*Countryside Apartments*
1708 SAN REMO COURT
ST. LOUIS, MISSOURI 63130
(314) 741-7447

# REQUEST FOR RESIDENCY VERIFICATION

VIA: ☐ MAIL
☐ FAX
☐ PHONE
☐ COURIER

To

DATE

*The person(s) named below has made application for apartment/housing rental with us. You were listed as having rented to the applicant. The applicant, by his/her signature below, has authorized you to release information about prior residency. Your comments or recommendation on this matter will be sincerely appreciated. We will be pleased to reciprocate this favor in the future. Thank you.*

RE: Resident's Name(s) Billy Jackson

Occupancy Address 1403 E. DeSoto St Louis MO 63107

Date(s) of Occupancy Dec. 1993

| REQUEST SUBMITTED BY | TITLE | PHONE |
|---|---|---|
| | | OFFICE: (314) 741-7404<br>FAX: (314) 741-5412 |

119

APPLICANT'S AUTHORIZATION OF THIS INQUIRY:
I hereby consent to the release of my residency information.

X Billy Jackson — X 1-29-96
Resident's Signature(s) — Date Signed

PROPERTY OWNER'S OR MANAGEMENT AGENT'S COMMENTS

Date Moved-In _____ Date Moved-Out _____ ☐ STILL IS OCCUPANT

Amount of Month Rent $ _____ Utilities Included _____

Rent Generally Paid: ☐ ON-TIME ☐ OCCASIONALLY LATE ☐ OFTEN LATE BEING EVICTED

Housekeeping Habits: ☐ GOOD ☐ AVERAGE ☐ POOR

Would you probably rent to this person again? ☐ YES ☐ NO ☐ NOT SURE

Other Comments _____

29. HEADINGS AND CAPTIONS: Tenant and Company acknowledge that the paragraph headings herein contained are inserted only as a matter of convenience and for reference and in no way define, limit or describe the scope or intent of this Lease nor in any other way affect the terms and provisions within this Lease.

30. HOLDOVER RENT: Tenant hereby agrees that in the event Tenant shall not completely vacate the Premises and return to Company ALL keys thereto on or before the effective date of termination or expiration date of this Lease, Tenant shall become liable thereafter, until completely vacating the Premises and returning all keys thereto to Company, for rent for each month or any fraction thereof at double the monthly rental rate reserved under this Lease.

31. NOTICES:

A. Tenant agrees that all notices authorized, required or given to Company hereunder shall be in writing and shall be served in person or by regular mail addressed to Company at the offices at which rentals are then being received.

B. Company agrees that all notices or demands authorized, required or given to Tenant hereunder shall be in writing and shall be served in person, or left with anyone at the Premises, or served by regular mail addressed to Tenant at the Premises, or posted upon the front door of the Premises, or posted in a conspicuous place within the Company.

C. Tenant and Company agree that notices sent by mail shall be deemed to have been given when properly mailed. A Proof of Mailing Certificate with a postmark affixed by the United States Post Office shall be conclusive evidence of the date of mailing.

32. TENANT RENEWAL: At least thirty (30) days prior to the expiration of this lease, Tenant shall give Apartment Company written notice, pursuant to paragraph C herein, stating whether or not Tenant intends to sign a new lease with Apartment Company of a like term for the leased premises. If Tenant notifies Apartment Company of Tenant's intention to sign a new lease, Apartment Company shall have the option to accept or refuse a new lease. If Apartment Company refuses to enter into a new lease, Tenant shall vacate the leased premises at the expiration hereof. If Apartment Company accepts a new lease with Tenant, Tenant shall execute the same prior to the expiration hereof.

33. LEASE SUBORDINATION: Tenant and Company hereby acknowledge that this Lease shall be and remain subject to and subordinate to any lien or rights under any present or future mortgage, deed of trust, security instrument or other lien applicable to the Premises, contents therein or thereabout.

34. DAMAGES TO PROPERTY:

A. Tenant agrees to pay Company for any and all injury or damages at or upon the Premises, the building in which the Premises are located and/or any other building or facility of Company and property therein or thereabout of Company or of other tenants thereof caused by the acts, omissions or occupancy of Tenant or by Tenant's family, guests, servants, animals, pets, or others permitted by Tenant to be upon the Premises or upon any such building facility or property aforesaid. Damage may include any damages to the operations, maintenance or control of electrical, heating or cooling equipment, appliances or fixtures, or caused by Tenant's failure to maintain heat and electricity to prevent such damage. Tenant shall, upon demand, promptly reimburse Company for any expenses which it may incur to remedy such damage. The amount of any damage or expense shall be determined by Company, in its sole judgment, and shall be additional rent, due and secured hereunder, as of the date so determined. Such amount shall be based on the cost of restoration of damages plus fifteen percent (15%) for Company's overhead. Any affiliate of Company may be employed by Company to effect restoration.

B. Tenant further agrees that upon vacating the Premises, Tenant shall give notice of vacation to Company, surrender ALL keys therefor and return the Leased premises clean, in good order and repair and in as good condition as when received, ordinary wear and tear excepted. Any alterations or changes made by Tenant, with or without the consent of Company, shall be restored by Tenant to original condition before vacating the Premises. Walls, carpeting, draperies, appliances, cabinets and floors are to be clean, undamaged and free from debris therein and thereabout. Any cost of expense Company may incur to put the Premises, or items used therein or thereabout by Tenant, in required condition as set forth, plus fifteen percent (15%) for Company's overhead, plus pro rata rental for days required therefor, shall be paid promptly by Tenant to Company as additional rent and secured hereunder.

35. MONTH-TO-MONTH

In the event a month-to-month tenancy has been established, a full calendar months written notice is required prior to vacating your apartment.

IN WITNESS WHEREOF the parties hereto have executed this Lease the day and year first above written.

Billy Jackson
Billy Jackson Tenant

By Saratoga-Capitol

Tenant

Witness

Tenant

Tenant

FOR VALUE RECEIVED, and in consideration for, and as an inducement to Company to enter into the foregoing Lease with Tenant, the undersigned jointly and severally, hereby guarantees to Company, its successors and assigns, the full performance and observance of all the agreements and conditions thereof, to be performed and observed by Tenant. Said full performance and observance shall include, but not be limited to, the payment of the rent and all other amounts, if any, due from Tenant hereunder, and performance and compliance with the Rules and Regulations of Company. No notice shall be required by Company to the undersigned of non-payment, non-performance or non-observance of any of the above by Tenant, nor shall any proof, notice or demand be necessary by Company to the undersigned, whereby to charge the undersigned thereafter. No lack of diligence on the part of Company, nor any indulgency granted to Tenant in enforcing the terms and conditions of this Lease, shall operate to discharge Guarantor. The undersigned waives any of the above notice, proof or demand, and the undersigned agrees that the validity of this agreement and the obligations of the undersigned hereunder shall in no way be terminated, affected or impaired by reason of the assertion by Company against Tenant of any of the rights or remedies reserved to Company pursuant to the provisions of the Lease. The undersigned further covenants and agrees that this Guaranty shall remain and continue in full force and effect as to any renewal or extension of this Lease, and the undersigned waives any notice thereof. The undersigned further agrees that this Guaranty shall bind the heirs and the assigns of the undersigned.

Dated _____, 19____

Guarantor

Witness

Authorized Agent of Company

0159s

12D

ATTACH CHECK HERE ON FRONT OF FORM

SPANISH LAKE FIRE PROTECTION DISTRICT
of ST. LOUIS COUNTY

# APPLICATION FOR OCCUPANCY PERMIT
# MULTI-FAMILY DWELLING UNIT

Name of Applicant Billy Jackson (PRINT OR TYPE)

Apartment Complex Country Side Townhomes

Apartment address [redacted] 1793 Sequoia Ct. Apt. No. 50

Date set for occupancy 1-31-96

I, THE UNDERSIGNED, HAVE READ AND UNDERSTAND THE SMOKE DETECTOR REQUIREMENTS ON THE REVERSE SIDE OF THIS APPLICATION.

Signature of applicant X Billy Jackson Date 1-30-96

$20.00 permit fee must accompany application.

NO CASH ACCEPTED – ~~CERTIFIED~~ MONEY ORDER ONLY

MAKE CHECKS PAYABLE TO SPANISH LAKE FIRE PROTECTION DISTRICT

NOTICE: THERE WILL BE A $10.00 FEE FOR ALL RETURNED CHECKS.

FOR OFFICE USE ONLY

| Inspection Date | | APPROVED | OCCUPANCY |
|---|---|---|---|
| 1/31/96 Per | Date 1/31/96 Per | Fire Marshal | – |

SLFPD 6-05-2000

121

*Countryside Apartments*
1708 SAN REMO COURT
ST. LOUIS, MISSOURI 63138
(314) 741-7447

# REQUEST FOR EMPLOYMENT VERIFICATION

VIA: ☐ MAIL
☐ FAX
☐ PHONE
☐ COURIER

To

NU FAX

DATE

*The person named below has made application for apartment/housing rental with us. Your firm was listed as having currently or formerly employed this person. The applicant, by his/her signature below, has authorized you to release their employment information. Your assistance in providing employment information will be sincerely appreciated. Thank you.*

RE: Employee Name Wm. Cole Realty Co.

Current Address 4531 Nat. Bridge St Louis MO 63115

385-5131

Social Security Number 493-62-5241

Department or Branch

Date(s) of Employment June 1988

| REQUEST SUBMITTED BY | TITLE | PHONE |
|---|---|---|
| | | OFFICE: (314)741-7404<br>FAX: (314)741-5412 |

12

**APPLICANT'S AUTHORIZATION OF THIS INQUIRY:**
I hereby consent to the release of my employment information.

X Billy Jackson — Employee's Signature
X 1-29-96 — Date Signed

**EMPLOYER'S COMMENTS**

Dates of Employment (From) _____ To _____

Position Held _____

Gross Salary or Wage $ _____ per ☐ MONTH ☐ WEEK ☐ HOUR*

(*If on hourly wage, please specify approximate number of hours worked weekly: _____ Hours)

WESTERN UNION
a unit of First Data Corp

DATE: 02/27/98

TO: DEPARTMENT OF THE TREASURY
ATTN:
100 S FOURTH STREET STE 750
ST LOUIS, MO 63102

FM: CENTRAL ACCOUNTING SUBPOENA CENTER
13022A HOLLENBERG DR.
BRIDGETON, MO 63044

RE: W.U. SUBPOENA # 18580

In compliance with the attached subpoena, a search has been made of WESTERN UNION records based on the information supplied by you.

We find the following:

-Records located.

( 12 ) -Document(s) enclosed.

Additional comments:
ENCLOSED ARE THE RECORDS OF THE TRANSACTIONS REQUESTED IN COMPLIANCE WITH YOUR SUBPOENA. THIS WILL CONCLUDE THE EXTENT OF OUR SEARCH.
Records furnished are the only records in the custody of this office.

Custodian Of Records
Western Union Financial Services
13022A Hollenberg Dr.
Bridgeton, MO 63044

ATTACHMENT: Copy of Subpoena

123

********** REF AIS / TU ********** LB ******

TRCE 493-62-5261
,

TRANS UNION TRACE REPORT
FOR
RSL21260
RPT ON
* SOCIAL SECURITY NUMBER TRACE *
NAME/SPOUSE
ADDRESS

1.

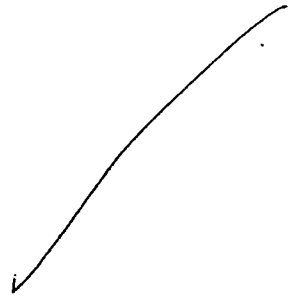
MKT/SUB INFILE DATE TIME
7 JL 01/29/96 10:55CT
SSN DOB
493-62-5261

SSN OWNER
ADDR RPT DATE

SUBJECT
08/92
07/85

**END OF NETWORK TRACE**
COPYRIGHT 1993, TRANS UNION CORPORATION

GO



124

GO

********** REF A14 / TU ********** LB ******

TRCE 493-62-5241

.

TRANS UNION TRACE REPORT

| FOR | MKT/SUB | INFILE | DATE | TIME |
|---|---|---|---|---|
| RSL21260 | 7 | IL | 01/29/96 | 10:52CT |
| RPT ON | | SSN | DOB | |
| * SOCIAL SECURITY NUMBER TRACE * | | 493-62-5241 | | |
| NAME/SPOUSE | | | SSN OWNER | |
| ADDRESS | | | ADDR RPT DATE | |
| 1. | | | SUBJECT | |
| | | | 05/94 | |

**END OF NETWORK TRACE**

COPYRIGHT 1993, TRANS UNION CORPORATION

GO

125

1 JACKSON,BILLY,,,* 1403 ,E,DESOTO,,STL,MO,63107*S 493-62-5241,5108**

********** REF 816 / TU ********** LB ******

TRANS UNION CREDIT REPORT

(FOR) (SUB NAME) (MKT SUB) (INFILE) (DATE) (TIME)

(1206)

COUNTRYSIDE

GUEST CARD

Date 1/28/96

Name Billy M. Jackson

Street Address 1403 E. DeSoto

City St Louis MO State 63107 Zip

Home Phone 652-0329 Business Phone 385-5131

Date Needed February

No. of Bedrooms Desired 1

Family 1 No. of Children X Adults Pets

COUNTRYSIDE
COUNTRYSIDE

September 25, 1996

Billy Jackson
50-1793 Sagunto
St. Louis, MO 63138

127

Dear Resident,

This letter is to inform you, that as of September 25, 1996, your account was turned over to our legal department for collection.

Any payments being made need to be sent to the main office located at 1708 San Remo Ct., St. Louis, MO 63138. In addition, any payments need to be in the form of a cashier's check or money order, and will be applied towards your outstanding attorney fees, late fees, and court costs, before it is applied towards your rent.

Court costs and attorney fees were charged to your account on the day the paperwork was sent to the attorney. You will be notified by the court regarding the date you will have to appear for a hearing. If all rent and fees have been paid to Countryside prior to the court date, then you will not have to appear in court. Payment must be in the form of money order or cashier's check. Attorney fees added to your account - $213.50.

Sincerely,

LISTED
TEL #

ATTORNEY AT LAW

STATUS REPORT

128

PLAINTIFF: SARATOGA CAPITAL, INC. v
DEFENDANT: BILLY JACKSON
ADDRESS: (50) 1793 SAGUNTO

10/11 Court date is 10/31/06 _____; plaintiff does not need to appear.

_____ Default Judgment entered for $_____ + court costs and possession; call if you wish to proceed with an eviction

10/31 Default Judgment entered for possession only; call if you wish to proceed with an eviction.

_____ Consent Judgment entered for $_____ + court costs to be paid as follows: _____

_____. Call if defendant fails to pay as agreed and request an eviction.

_____ Forward place of employment and/or bank account information if you wish to proceed with garnishment.

_____ Case set for trial on _____; meet me in Division _____ at _____

_____ Sheriff has been unable to serve defendant, case continued to _____ for service or dismissal. Please contact my office with forwarding address or place of employment if you wish to proceed

_____ Case dismissed per your instructions.

_____ No longer employed/Unable to verify employment, closing file pending further instructions.

_____ Defendant filed Chapter 7 Bankruptcy, closing file pending further instructions

_____ Defendant filed Chapter 13 Bankruptcy, proof of claim has been filed

_____ No assets recovered from bankruptcy, closing file pending further instructions.

BIRTH DATES SOCIAL SECURITY
1948/05/11 407-76-4453

IDENTIFICATION DATA UPDATED 1997/09/20
THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:
FBI - FBI.

END - 3RD III RECORD OF MULTIPLE RESPONSE
NAME FBI NO. INQUIRY DATE
JACKSON,WILLIAM J 1998/02/04

INPUT:
02/04/98 14:53:22 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FULL MSG
MESSAGE DATED 98/02/04 14:49 NO 000794 FROM USER
PAGE 07
FROM: TERM NEXT 08
TO: BUREAU OF ATF
RESP:

| SEX | RACE | BIRTH DATE | HEIGHT | WEIGHT | EYES | HAIR | BIRTH PLACE |
|---|---|---|---|---|---|---|---|
| M | B | 1951/08/09 | 603 | 175 | BRO | BLK | ALABAMA |

FINGERPRINT CLASS
PM PM 12 17 08
PM PI 13 16 09

ALIAS NAMES
JACKSON,WILLIAM JAMES

SCARS-MARKS-
TATTOOS SOCIAL SECURITY
SC FHO 417-72-0557

IDENTIFICATION DATA UPDATED 1994/03/23

129

INPUT:
02/04/98 14:53:32 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FULL MSG
MESSAGE DATED 98/02/04 14:49 NO 000794 FROM USER
PAGE 08
FROM: TERM NEXT 01
TO: BUREAU OF ATF
RESP:
THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:
FBI - FBI

END - LAST III RECORD OF MULTIPLE RESPONSE

THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION INDEX BY USING THE APPROPRIATE TRANSACTION.

END

LOCAL ID RECORD - REF: LID: CITY PD
JACKSON, BILLIE M B/M 46 DOB:08/19/1951 HGT:5-08 WGT:134
BUILD:SLN COMP:DRK HAIR:BLK EYES:BRO PLACE-OF-BIRTH:MO MAR-STA:S
LID: SID: FBI: FPC:
LAST-PHOTO:02/04/80 LAST-IMAGE: PALM-PRINTS:NO AFIS:
---------- ADDITIONAL ID'S - (DOB, SOC, OLN & MNU) ----------
ADD-DOB'S-01: 08/29/1951
SOC-SEC-N-01: 490522555 02: 493625241
---------- SCARS, MARKS, AND TATTOOS ----------
SCARS/ETC-01: SC L WRIST
---------- ALIASES AND NICKNAMES OR MONIKERS ----------
ALIAS-NAM-01: JACKSON, BILLY M (S)
-------- RESIDENCE AND EMPLOYER ADDRESSES, OCCUPATION AND PHONE NUMBERS --------
RES-04: 5569 CABANNE APT D. ST LOUIS. MO 02/04/80
03: 5843 CABANNE, ST LOUIS, MO 05/05/78
02: 5647 CABANNE AVE, ST LOUIS, MO 03/24/73
01: 10/22/69
**********
PGREQ: INPUT:

02/04/98 14:50 MOI - ADMINISTRATIVE INQUIRY PAGE 2

****** CONFIDENTIAL INFORMATION RESTRICTED TO CRIMINAL JUSTICE AGENCIES *****
LOCAL ID RECORD - REF: LID -ST ANN PD
JACKSON, BILLY M (S) B/M 46 DOB:08/19/1951 HGT:5-07 WGT:145
BUILD:MED COMP:DRK HAIR:BLK EYES:BRO PLACE-OF-BIRTH:MO MAR-STA:S
CID: SID: FBI: FPC:
---------- ADDITIONAL ID'S - (DOB, SOC, OLN & MNU) ----------
SOC-SEC-N-01: 493625241
-------- RESIDENCE AND EMPLOYER ADDRESSES, OCCUPATION AND PHONE NUMBERS --------
RES-01: 5845 MAFFIT, ST LOUIS, MO 63112 382-1786 05/04/77
---------- MISCELLANEOUS REMARKS ----------
ACNE SCAR ALL OVER FACE SCAR BY RIGHT EAR TRACK MARKS
OVER BOTH ARMS
**********
****** CONFIDENTIAL INFORMATION RESTRICTED TO CRIMINAL JUSTICE AGENCIES *****
LOCAL ID RECORD - REF: LID -PAGEDALE PD
JACKSON, BILLY M (S) B/M 46 DOB:08/19/1951 HGT:5-07 WGT:143
BUILD:MED COMP:MED HAIR:BLK EYES:BRO PLACE-OF-BIRTH:MO MAR-STA:S
---------- ADDITIONAL ID'S - (DOB, SOC, OLN & MNU) ----------
SOC-SEC-N-01: 493625241
---------- SCARS, MARKS, AND TATTOOS ----------
PGREQ: INPUT:

02/04/98 14:50 MOI - ADMINISTRATIVE INQUIRY PAGE 3

SCARS/ETC-01: NM L ARM
02: NM R ARM
---------- ALIASES AND NICKNAMES OR MONIKERS ----------
NICKNAMES-01: MIDDLE NAME MAURICE
-------- RESIDENCE AND EMPLOYER ADDRESSES, OCCUPATION AND PHONE NUMBERS --------
RES-01: 5843 CABANNE ST, ST LOUIS, MO 63112 367-8253 05/02/78
EMP-01: EMPLOYED-AS: U N E M P L O Y E , BY: STONE CONTA 05/02/78
HALL ST, ST LOUIS, MO
---------- MISCELLANEOUS REMARKS ----------
SPOTS IN FACE
**********
***** CONFIDENTIAL INFORMATION RESTRICTED TO CRIMINAL JUSTICE AGENCIES *****
ARREST RECORD TNG. OCN CITY DISTRICT
JACKSON BILLY M BLACK MALE AGE:40 DOB:08/19/[illegible]
SOC:493625241 HGT:5-08 WGT:195 COMP:MED EYES:BRO HAIR:BLK SINGLE
LID: CID: SID FBI
PDT:11/06/95
R-ADD-01:1403 E DESOTE ST LOUIS MO 63107 RPH:652-0229( )

MESSAGE DATED 98/02/04 14:44 NO 000788 FROM USER



FROM: TERM
TO: BUREAU OF ATF
RESP:

SENTENCE- 1Y PROBATION
GUILTY PLEA SENTENCE IMP

ALL ARREST ENTRIES CONTAINED IN THIS FBI RECORD ARE BASED ON FINGERPRINT COMPARISONS AND PERTAIN TO THE SAME INDIVIDUAL.

THE USE OF THIS RECORD IS REGULATED BY LAW. IT IS PROVIDED FOR OFFICIAL USE ONLY AND MAY BE USED ONLY FOR THE PURPOSE REQUESTED.
END OF RECORD

**** END OF MESSAGE ****

INPUT:
02/04/98 14:48:59 MOI ADMINISTRATIVE SUMMARY RESP 001
SEARCH:JACKSON, BILLY B/M 08091951 SOC:493625241
*** /NAM JACKSON, BILLY B/M 08091951 - NO RECORD FOUND
*** /SOC 493625241
*** JACKSON BILLIE M ( ) RACE:B SEX:M DOB:08/19/1951
HST REF: SL-CTY-PD SLN-B DRK-CMP BRO-E BLK-H
ID#: PHOTO:02/04/80 PALM-PRT:N SUMMARY:Y
*** JACKSON BILLY M (S) RACE:B SEX:M DOB:08/19/1951
HST REF: ST-ANN-PD MED-B DRK-CMP BRO-E BLK-H
IU# PHOTO: / / PALM-PRT:N SUMMARY:Y
*** JACKSON BILLY M (S) RACE:B SEX:M DOB:08/19/1951
HST REF PAGEDL-PD MED-B MED-CMP BRO-E BLK-H
ID#: PHOTO: / / PALM-PRT:N SUMMARY:Y
*** JACKSON BILLY M ( ) RACE:B SEX:M DOB:08/19/1951
ARR TNO: SL-CTY-PD -B MED-CMP BRO-E BLK-H
DRUGS,WEPNS

131

SEARCH COMPLETE

**********
* *
* GENERAL MESSAGE ROUTE SYSTEM *
* PRINT DATE:02/04/98 TIME:14:49 *
* *
**********

MESSAGE NUMBER: 000794
TO : BUREAU OF ATF
FROM : TERM
DATED : 02/04/00
SENDER ORI :

CCH/III SEQUENCE NUMBER

THIS INTERSTATE IDENTIFICATION INDEX MULTIPLE RESPONSE IS THE RESULT OF YOUR INQUIRY ON NAM/JACKSON,BILLY SEX/M RAC/B DOB/19510809
PUR/C

FROM: TERM
TO: BUREAU OF ATF
RESP:

CCH/III SEQUENCE NUMBER

ATN/SA
THIS RECORD IS BASED ONLY ON THE FBI NUMBER IN YOUR REQUEST-
BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY
SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

- FBI IDENTIFICATION RECORD -

WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE
DIRECTLY WITH THE AGENCY THAT FURNISHED THE DATA TO THE FBI.

| NAME | FBI NO. | DATE REQUESTED |
|---|---|---|
| YOUNG,MICHAEL FRANCIS | | 1998/02/04 |

INPUT:
02/04/98 14:46:00 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FULL MSG
MESSAGE DATED 98/02/04 14:44 NO 000788 FROM USER
PAGE 02
NEXT 03

FROM: NCIC CTL TERM
TO: BUREAU OF ATF
RESP:

| SEX | RACE | BIRTH DATE | HEIGHT | WEIGHT | EYES | HAIR | BIRTH PLACE |
|---|---|---|---|---|---|---|---|
| M | B | 1949/01/22 | 509 | 155 | BRO | BLK | MISSOURI |

FINGERPRINT CLASS
PM PI PM PO 17
PM PM 16 18 12

1-ARRESTED OR RECEIVED 1977/06/17
AGENCY-POLICE DEPARTMENT KANSAS CITY
AGENCY CASE-116571
CHARGE 1-MO STATE WARRANT NON SUPPORT
DISPOSITION-TOT ANOTHER AGENCY-

ADDITIONAL ARREST DISPOSITION-

INPUT:
02/04/98 14:46:09 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FULL MSG
MESSAGE DATED 98/02/04 14:44 NO 000788 FROM USER
PAGE 03
NEXT 04

FROM: TERM
TO: BUREAU OF ATF
RESP:

2-ARRESTED OR RECEIVED 1977/09/23
AGENCY-POLICE DEPARTMENT KANSAS CITY
AGENCY CASE-116571
CHARGE 1-NON SUPPORT-WRT
DISPOSITION-TOT ANOTHER AGENCY-
ADDITIONAL ARREST DISPOSITION-TRANS TO JA CO RT

132

3-ARRESTED OR RECEIVED 1979/04/27
AGENCY-POLICE DEPARTMENT KANSAS CITY
AGENCY CASE-[illegible]
CHARGE 1-ST WARRANT CHILD ABANDONMENT

COURT-
1979/05/16 DISPOSITION-CONVICTED-
CHARGE-ST WARRANT CHILD ABANDONMENT

NAME USED:YOUNG MICHAEL F DATE OF BIRTH: 01/22/49
PHOTOGRAPH AVAILABLE:ARRESTING AGENCY
NON-SUPPORT OFFENSE TYPE: MISDEMEANOR
TURN OVER TO
JACKSON CO COURT

***CLOSED RECORD***

OFFENSE CYCLE NO. 72661241 DATE OF ARREST: 09/23/77
AGENCY: KANSAS CITY PD
AGENCY CASE NO. 116571
NAME USED:YOUNG MICHAEL F DATE OF BIRTH: 01/22/49
PHOTOGRAPH AVAILABLE:ARRESTING AGENCY
NON-SUPPORT OFFENSE TYPE: MISDEMEANOR
PGREQ: INPUT:

02/04/98 14:45:19 MULES SYSTEM LATF05V1 PAGE 3
PUR/C.ATN/SA
TURN OVER TO
JACKSON CO COURT

***CLOSED RECORD***

OFFENSE CYCLE NO. 91671238 DATE OF ARREST: 04/27/79
AGENCY: ANSAS CITY PD
AGENCY CASE NO. 116571
NAME USED:YOUNG MICHAEL F DATE OF BIRTH: 01/22/49
PHOTOGRAPH AVAILABLE:ARRESTING AGENCY
ABANDONMENT OF CHILD OFFENSE TYPE: FELONY
D I S P O S I T I O N
SUS IMP SENT
DATE OF DISP: 05/16/79
SENTENCE PROVISIONS: SIS COMPLETE
FROM:JACKSON COUNTY
PROBATION 01 YRS

***CLOSED RECORD***

**********

*-CLOSED RECORDS SHALL BE INACCESSIBLE TO THE GENERAL PUBLIC.
THEY SHALL BE AVAILABLE ONLY TO COURTS, LAW ENFORCEMENT AGENCIES
PGREQ: INPUT:

02/04/98 14:45:37 NCIC SYSTEM PAGE 1

**********

* *
* AN NCIC QCH HIT HAS BEEN RECEIVED. MESSAGE LENGTH EXCEEDS ONE PAGE. *
* *
* *
* RESPONSE IS FOR INQUIRY ===> NCIC FULL DATA RESP VIA MULES QMS/QMH *
* *
* *
* *
* *

**********

133

PGREQ: INPUT:

*** END OF MESSAGE ***

02/04/98 14:45:49 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FULL MSG
USER

END

**********
* END OF MESSAGE *
**********

**********
*
* GENERAL MESSAGE ROUTE SYSTEM *
* PRINT DATE:02/04/98 TIME:14:44 *
*
**********

MESSAGE NUMBER: 000788
TO : BUREAU OF ATF
FROM : TERM
DATED : 02/04/98
SENDER ORI :

CCH/III SEQUENCE NUMBER

ATN/SA
THIS RECORD IS BASED ONLY ON THE FBI NUMBER IN YOUR REQUEST.
BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY
SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

- FBI IDENTIFICATION RECORD -

WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE
DIRECTLY WITH THE AGENCY THAT FURNISHED THE DATA TO THE FBI.

| NAME | | | | FBI NO | | DATE REQUESTED |
|---|---|---|---|---|---|---|
| YOUNG,MICHAEL FRANCIS | | | | | | 1998/02/04 |
| SEX | RACE | BIRTH DATE | HEIGHT | WEIGHT | EYES | HAIR | BIRTH PLACE |
| M | B | 1949/01/22 | 509 | 155 | BRO | BLK | MISSOURI |

FINGERPRINT CLASS
PM PI PM PO 17
[illegible]

1-ARRESTED OR RELEIVED 19///06/17
AGENCY-POLICE DEPARTMENT KANSAS CITY
AGENCY CASE-116571
CHARGE 1-MO STATE WARRANT NON SUPPORT

134

ADDITIONAL ARREST DISPOSITION-TOTO JA CO CR[illegible]

-ARRESTED OR RECEIVED 1977/09/23
AGENCY-POLICE DEPARTMENT KANSAS CITY
AGENCY CASE-116571
CHARGE 1-NON SUPPORT-URT
DISPOSITION-TOT ANOTHER AGENCY-
ADDITIONAL ARREST DISPOSITION-TRANS TO JA CO RT

-ARRESTED OR RECEIVED 1979/04/27.
AGENCY-POLICE DEPARTMENT KANSAS CITY
AGENCY CASE-116571 NAME USED-YOUNG,MICHAEL F
CHARGE 1-ST WARRANT CHILD ABANDONMENT

COURT-
1979/05/16 DISPOSITION-CONVICTED-
CHARGE-ST WARRANT CHILD ABANDONMENT
SENTENCE- 1Y PROBATION
GUILTY PLEA SENTENCE IMP

ALL ARREST ENTRIES CONTAINED IN THIS FBI RECORD ARE BASED ON FINGERPRINT COMPARISONS AND PERTAIN TO THE SAME INDIVIDUAL.

THE USE OF THIS RECORD IS REGULATED BY LAW. IT IS PROVIDED FOR OFFICIAL USE ONLY AND MAY BE USED ONLY FOR THE PURPOSE REQUESTED.
END OF RECORD

**********
* E N D O F M E S S A G E *
**********

02/04/98 14:44:15 MULES SYSTEM PAGE 1
QMH .ORI/MOATFSLSO.PUR/C.ATN/SA

MISSOURI CRIMINAL HISTORY

**********
* THIS RECORD IS PROVIDED FOR OFFICIAL USE ONLY AND MAY BE *
* USED ONLY FOR THE PURPOSE REQUESTED. BECAUSE ADDITIONS AND *
* DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY SHOULD BE *
* REQUESTED WHEN NEEDED FOR SUBSEQUENT USE. *
* *** THE USE OF THIS RECORD IS REGULATED BY LAW **** *
**********

NAME:YOUNG MICHAEL F STATE ID NO. FBI NO.
SEX M RACE B DOB 01/22/49 HGT 510 WGT 190 EYE BRO HAIR BLK PUB MO
ICIC FPC / PM PO PM PO 16 PM PM 15 16 12 SOCIAL SECURITY NO.
******* **********
***
OFFENSE CYCLE NO. 83641236 DATE OF ARREST: 11/29/68
AGENCY: KANSAS CITY PD
AGENCY CASE NO. 116571
REQ: INPUT:

135

02/04/98 14:45:06 MULES SYSTEM LATFOSVI PAGE 2
QMH .ORI/MOATFSLSO.PUR/C.ATN/SA
NAME USED:YOUNG MICHAEL [illegible] DATE OF BIRTH: [illegible]
PHOTOGRAPH AVAILABLE:CENTRAL REPOSITORY
STEALING OF A MOTOR VEH OFFENSE TYPE: FELONY
DISP UNKNOWN
***CLOSED RECORD***

```
     * THIS RESPONSE IS NOT TO BE CONSIDERED A POSITIVE "HIT" SINCE THE  *
     * INQUIRY DOES NOT PERMIT A UNIQUE IDENTIFIER AND IS TO BE USED     *
     * ONLY TO ASSIST IN MAKING A DIRECT                                 *
     * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *
ID NO.  LNM                 FNM          MI JSR S R DOB    SSN/MNU          CAU

                                                                            2
                                                                            2
                                                                            2
        YOUNG               MICHAEL      D      M B 012249
                                         E                                  2
        YOUNG               MICHAEL      F      M B 012249
                                         L                                  2
                                         S                                  2


PGREQ:      INPUT:
                              *** END OF MESSAGE ***
02/04/98 14:43:09                 NCIC SYSTEM                        PAGE    1
          PUR/C.NAM/YOUNG,MICHAEL.SEX

DATFSLSO
THIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
INQUIRY ON NAM/YOUNG,MICHAEL SEX/M RAC/B DOB/19490406 PUR/C

NAME                                FBI NO.          INQUIRY DATE
YOUNG,MICHAEL LEE                                    1998/02/04

SEX  RACE  BIRTH DATE  HEIGHT  WEIGHT  EYES  HAIR  BIRTH PLACE
M    B     1948/04/06  600     141     BRO   BLK   DIST OF COLUMBIA

FINGERPRINT CLASS
05 13 02 23 16
18 13 16 PI 18

ALIAS NAMES
YOUNG,MICHAEL                   YOUNG,MICHAEL L
YOUNG,MICHEAL                   YOUNG,RONALD
YOUNG,RONALD W                  YOUNG,RONALD WALTER
YOUNG,RONALL W                  YOUNG,RONNIE WALTON
PGREQ:      INPUT:

**********************************************************************
*                                                                    *
*              GENERAL MESSAGE ROUTE SYSTEM                          *
*            PRINT DATE:02/04/98 TIME:14:44                          *
*                                                                    *
**********************************************************************

MESSAGE NUMBER: 000787
              : BUREAU OF ATF
FROM          :          TERM
ENTED         : 02/04/98
UNDER ORI     :

    CCH/III SEQUENCE NUMBER

THIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
```

T36

137

```
SEX  RACE  BIRTH DATE  HEIGHT  WEIGHT  EYES  HAIR  BIRTH PLACE
M    B     1951/08/09  506     130     BRO   BLK   CONNECTICUT

FINGERPRINT CLASS
PI PI PI PM 13
DI PI CI PI 15

ALIAS NAMES

INPUT:
02/04/98 14:52:45        GENERAL MESSAGE ROUTING SYSTEM        DISPLAY FULL MSG
    MESSAGE DATED 98/02/04 14:49 NO 000794 FROM                USER
                                                                PAGE 04
FROM:          TERM                                             NEXT 05
TO:   BUREAU OF ATF
ESP:
      JACKSON,WILLIE                  JACKSON,WILLIE GEORGE
      ROBERTS,WILLIE GEORGE           ROBINSON,JOHN ALBERT
      ROBINSON,WILLIE G               ROBERTSON,WILLIE GEORGE
      ROBERTSON,BO

      OTHER          SCARS-MARKS-
      BIRTH DATES    TATTOOS          SOCIAL SECURITY
      1952/08/09     SC L CHK         525-88-2703
                     TAT LF ARM

      IDENTIFICATION DATA UPDATED 1996/05/22
      THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE
      FOLLOWING:
       GEORGIA          - STATE ID

INPUT:
02/04/98 14:52:57        GENERAL MESSAGE ROUTING SYSTEM        DISPLAY FULL MSG
    MESSAGE DATED 98/02/04 14:49 NO 000794 FROM                USER
                                                                PAGE 05
FROM:          TERM                                             NEXT 06
TO:   BUREAU OF ATF
ESP:
      END - 2ND III RECORD OF MULTIPLE RESPONSE
      NAME                            FBI NO.          INQUIRY DATE
      PERKINS,EDWARD LEE                               1998/02/04

      SEX  RACE  BIRTH DATE  HEIGHT  WEIGHT  EYES  HAIR  BIRTH PLACE
      M    B     1951/08/09  600     200     BRO   BLK   KENTUCKY

      FINGERPRINT CLASS
      20 55 11 17 13
      13 11 12 17 12

      ALIAS NAMES
      PERKINS,EDDIE                   PERKINS,EDDIE LEE
      PERKINS,EDWARD                  PERKINS,HENRY
      PERKINS,HENRY-JR                PERKINS,RONALD

INPUT:
02/04/98 14:53:11        GENERAL MESSAGE ROUTING SYSTEM        DISPLAY FULL MSG
    MESSAGE DATED 98/02/04 14:49 NO 000794 FROM                USER
                                                                PAGE 06
FROM:          TERM                                             NEXT 07
TO:   BUREAU OF ATF
ESP:
      JACKSON,WILLIAM JR
```

150

REQ: INPUT:

04/98 14:50 [redacted] MOI - ADMINISTRATIVE INQUIRY [redacted] PAGE 4

:95/3334 OCA:[redacted] ARR:2200 11/06/95 OFF [redacted]
KED:[redacted] 11/07/95 BOOK-OFF:[redacted] AUTH [redacted] SL-CTY-PD 6
LEASED ON BOND -[redacted] 1/07/95 RBY:[redacted]P)
RESTED 4531 NATURAL BRIDGE ST LOUIS MO GEO[redacted]
VERIFY STATUS OF CHARGES WITHOUT COURT DISPOSITIONS BEFORE **
RELEASING INFORMATION FOR NON CRIMINAL JUSTICE PURPOSES **
G-01 SUSPECT POSS CONTROLED SUBSTANCE (F) STA:195.202,PAR 2 NC:[redacted] CD[redacted]
OFF DATE:11/06/95
CHG-REL WARRANT REFUSED-OTHER EVIDENCE PROBLEMS CT:CIR25 BND:$5000.00 11
DISP:11/07/95 DOCUMENT:CN 95-164931
PROFESSIONAL- SURETY:[redacted]
-02 SUSPECT UNLAWFUL USE WEAP FEL (F) STA:571.030 NC:[redacted] CD[redacted]
OFF DATE:11/06/95
CHG-REL WARRANT REFUSED-OTHER EVIDENCE PROBLEMS CT:CIR25 BND: INCL 11/14
DISP:11/07/95 DOCUMENT:CN 95-164931
PROFESSIONAL- SURETY:[redacted]
RG-CT:[redacted]
[redacted] CH:[redacted]

REQ: INPUT:

*** END OF MESSAGE ***
[redacted] RESPONSE FROM CORRECTIONS TRACKING SYSTEM 02-04-98 14:48:59

** CONFIDENTIAL INFORMATION RESTRICTED TO CRIMINAL JUSTICE AGENCIES ****
PUT: JACKSON, BILLY B/M 08/09/51

ME: JACKSON, BILLY M (S) REF:[redacted]
CE: B SEX: M DOB: 08/19/51 AGE: 046 JUV: POB: MO LANG:
GT: 5-07 WGT: 135 HAIR: EYES: SKIN:
SN: 493-62-5241
D:[redacted]
ACT - CUSTODY - MEDIUM SECURITY INST
CUSTODY NAME: JACKSON, BILLY M (S)
START: 02/05/80 IN-ACTION: POLICE DEPARTMENT
END : 02/07/80 OUT-ACTION: BONDED
***CHG: 32040990 (F) VIO MO LAW POS MAR
**CHG: 32040990 (F) VIO MO SUB LAW POS

140

---

********** END OF MESSAGE **********
t:[redacted]

2/04/98 14:50:58 MULES SYSTEM [redacted] PAGE 1
[redacted]

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *
* THIS RESPONSE IS NOT TO BE CONSIDERED A POSITIVE *HIT* SINCE THE *
* INQUIRY DOES NOT PERMIT A UNIQUE IDENTIFIER AND IS TO BE USED *
* ONLY TO ASSIST IN MAKING A DIRECT[redacted]
* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

| ID NO. | LNM | FNM | MI | JSR | S | R | DOB | SSN/MNU | CAU |
|---|---|---|---|---|---|---|---|---|---|
| [redacted] | JACKSON | BILLY | M | M | B | | 081951 | 493625241 | 2 |

05-336-35

PERKINS,HENRY-JR PERKINS,RONALD
JACKSON,WILLIAM JR

OTHER
BIRTH DATES SOCIAL SECURITY
1948/05/11 407-76-4453

IDENTIFICATION DATA UPDATED 1997/09/20
THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:
FBI - FBI

END - 3RD III RECORD OF MULTIPLE RESPONSE

| NAME | | | FBI NO. | | | INQUIRY DATE |
|---|---|---|---|---|---|---|
| JACKSON,WILLIAM J | | | | | | 1998/02/04 |
| SEX | RACE | BIRTH DATE | HEIGHT | WEIGHT | EYES | HAIR | BIRTH PLACE |
| M | B | 1951/08/09 | 603 | 175 | BRO | BLK | ALABAMA |

FINGERPRINT CLASS
PM PM 12 17 08
PM PI 13 16 09

ALIAS NAMES
JACKSON,WILLIAM JAMES

SCARS-MARKS-
TATTOOS SOCIAL SECURITY
SC FHO 417-72-0557

IDENTIFICATION DATA UPDATED 1994/03/23
THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:
FBI - FBI

END - LAST III RECORD OF MULTIPLE RESPONSE

THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION INDEX BY USING THE APPROPRIATE TRANSACTION.

END

141

**********
* E N D O F M E S S A G E *
**********

NAME FBI NO. INQUIRY DATE
JACKSON,HAROLD CURTIS 1998/02/04

| SEX | RACE | BIRTH DATE | HEIGHT | WEIGHT | EYES | HAIR | BIRTH PLACE |
|---|---|---|---|---|---|---|---|
| M | B | 1961/08/09 | 508 | 145 | BRO | BLK | GEORGIA |

FINGERPRINT CLASS
14 07 15 16 13
13 04 15 17 14

ALIAS NAMES
JACKSON,HAROLD
JACKSON,HAROLD C
JACKSON,WILLIE F
JACKSON,WILLIE FRANK

OTHER
BIRTH DATES SOCIAL SECURITY
1960/08/09 259-25-9787
1959/08/12
1951/08/09

IDENTIFICATION DATA UPDATED 1996/04/21
THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:
GEORGIA - STATE ID

END - 1ST III RECORD OF MULTIPLE RESPONSE
NAME FBI NO. INQUIRY DATE
ROBINSON,WILLIE GEORGE 1998/02/04

| SEX | RACE | BIRTH DATE | HEIGHT | WEIGHT | EYES | HAIR | BIRTH PLACE |
|---|---|---|---|---|---|---|---|
| M | B | 1951/08/09 | 506 | 130 | BRO | BLK | CONNECTICUT |

FINGERPRINT CLASS
PI PI PI PM 13
OI PI CI PI 15

ALIAS NAMES
JACKSON,WILLIE
JACKSON,WILLIE GEORGE
ROBERTS,WILLIE GEORGE
ROBINSON,JOHN ALBERT
ROBINSON,WILLIE G
ROBERTSON,WILLIE GEORGE
ROBERTSON,BO

| OTHER BIRTH DATES | SCARS-MARKS-TATTOOS | SOCIAL SECURITY |
|---|---|---|
| 1952/08/09 | SC L CHK TAT LF ARM | 525-88-2703 |

142

IDENTIFICATION DATA UPDATED 1996/05/22
THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:
GEORGIA - STATE ID
END - 2ND III RECORD OF MULTIPLE RESPONSE
NAME FBI NO. INQUIRY DATE
PERKINS,EDWARD LEE 1998/02/04

| SEX | RACE | BIRTH DATE | HEIGHT | WEIGHT | EYES | HAIR | BIRTH PLACE |
|---|---|---|---|---|---|---|---|
| M | B | 1951/08/08 | 600 | 200 | BRO | BLK | KENTUCKY |

FINGERPRINT CLASS
20 SS 11 17 13
13 11 12 17 12

ALIAS NAMES

NO

CLASS

EXPIRATION DATE

ENDORSEMENTS

RESTRICTIONS

BIRTH DATE

SEX

HEIGHT

WEIGHT

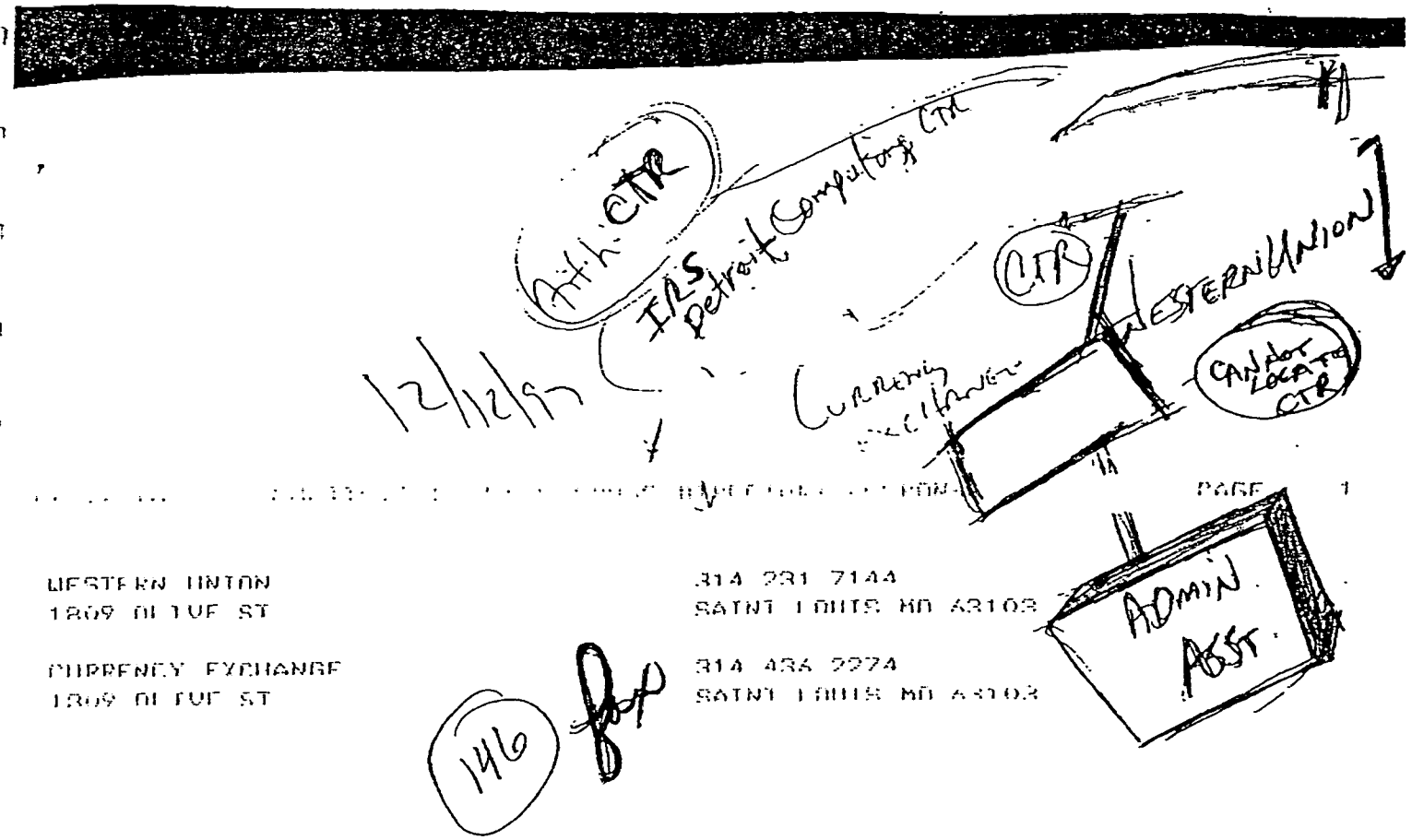
EYES

143

NO.

| CLASS | | EXPIRATION DATE |
|---|---|---|
| ENDORSEMENTS | RESTRICTIONS | BIRTHDATE |
| SI<br>F | HEIGHT | WEIGHT | EYE |
| Y<br>N | | | |





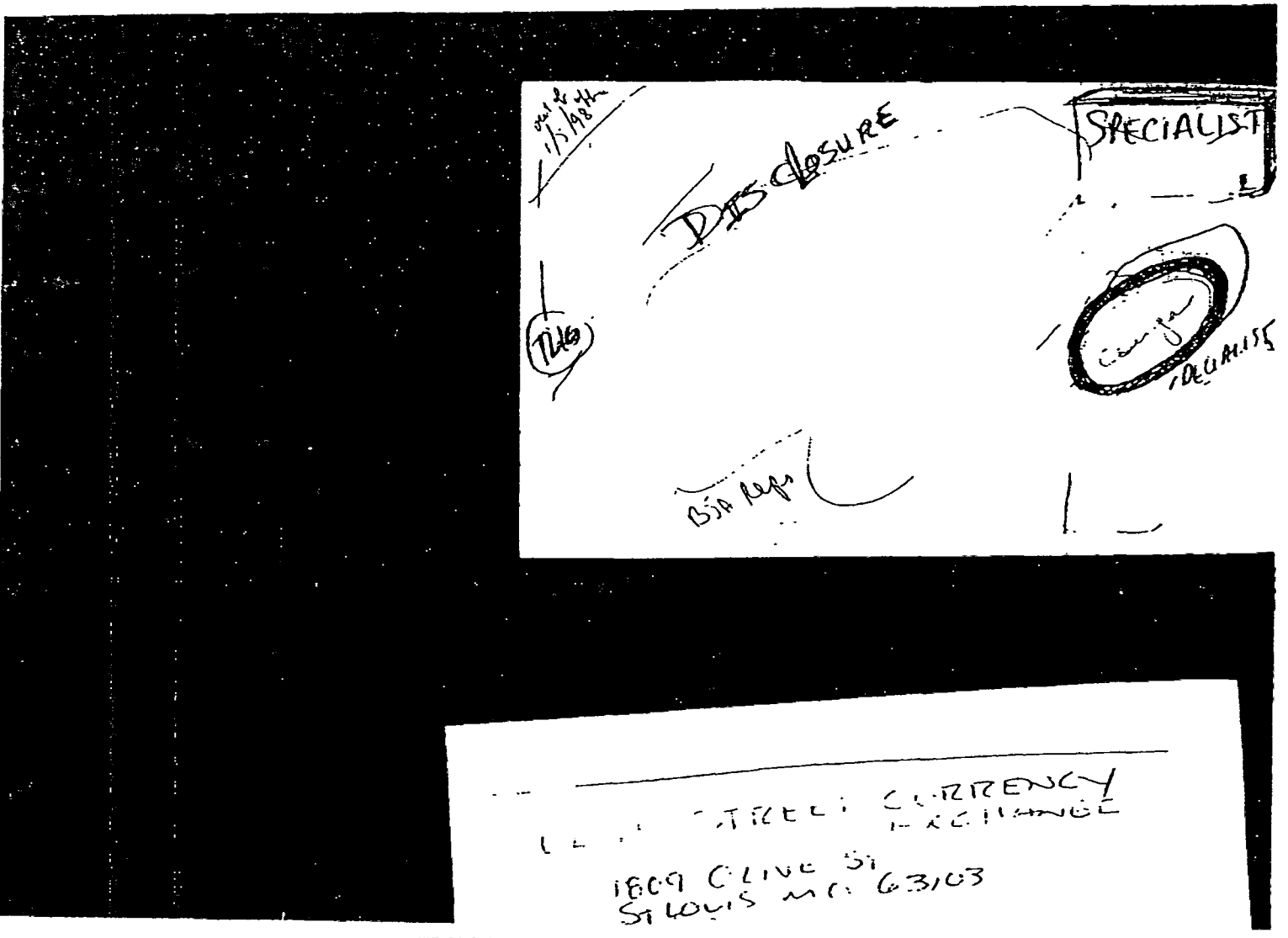

PAGE 1

WESTERN UNION
1809 OLIVE ST

314 231 7144
SAINT LOUIS MO 63103

CURRENCY EXCHANGE
1809 OLIVE ST

314 436 2274
SAINT LOUIS MO 63103




CURRENCY EXCHANGE

1809 OLIVE ST
ST LOUIS MO 63103

US vs Byron Miller

4:96 CR 365 CDP

41

# PROPERTY TRACKING FORM

I am requesting evidence from the Sheriffs' Property Room as identified below. I am responsible for this evidence until returned to the Sheriff Property Room.

Received Year: 1995

Voucher Number: 11099

Complaint No: 95-164930

Defendant: BILLY JACKSON

NOTES: TO BE TAKEN TO A USA GARY GAERTNER FOR RETRIAL

~~HOLD~~ AUSA GARY GAERTNER U.S. ATTY'S OFFICE

601

Released vouchered evidence to:

| Date Taken | Printed Name | DSN | Agency | Signature | Date Returned | Returned By |
|---|---|---|---|---|---|---|
| 12-2-97 | | | FLMPDLAB | | 12-3-97 | |
| 4/2/98 | | | ITF | | 4/16/98 | |
| | | | | | returned | " |
| | | | | | | |
| | | | | | | |

1/20/11

↳
recalls name -
was on boat 1x
a week - spent alot
of money - usually
office - did play
some blackjack

always wore Cardinal
Cap - seen him alot

7/7/95 - shown GTR
recognize photo as B.J.

could DO in court
don't recall getting
DO from him

130

Upl wins a/at
about his appearance

151

1/9/98

Pit - blackjack, poker

notified by Pit that subject @ table that has reached $10,000 -

Call for picture - advise location in casino - zoom camera in for picture - (takes photo) subj unaware of photo -

(152) approach subj - ask for ID for paperwork

Id - photo of 7/1/95 CTR

filled out photo

dropped off CR

1/2 Note:

Took Foreign - I knew
none for sure
work in Bull of what
would happen -
played @ end of table
Finally played 3rd floor
would occasionally
come to 3rd floor

7/7/64 identifying Signature
definitely him - was
over quite a bit -
almost every week
kept track of people who
would look quite a bit
he (now) would be on list - called
around to every

did not approach
for supplemental -

153

1/22

"Please no attitude"

Covered identity subj if
he saw him again

"always needed a shave"

did not get ID for him

subjects.

154

# EVIDENCE RECEIPT

METROPOLITAN POLICE DEPARTMENT
City of St. Louis
Laboratory

Date Rec'd. _____
Laboratory No. _____
Victim _____
Address _____

Suspect WILLIE EDWARD BOYD
Address 2091 VICTORY WAY LANE
Offense FELON POSS FIREARM AMMO
Arrest Register No. _____

District US MARSHAL
Officer _____
Date Occurred 2/1/97
Complaint No. _____

Article _____ Make _____ Caliber _____ Style _____ No. _____
One Plastic Bag containing (4) Brown/Beige Cartridge

Delivered By USM ELMC
Received By _____
Returned To _____
Date _____

MPD FORM LAB-13 (R-2)

# EVIDENCE RECEIPT

METROPOLITAN POLICE DEPARTMENT
City of St. Louis
Laboratory

150

Date Rec'd. 2/5/97
Laboratory No. _____
Victim _____
Address _____

Suspect Willie Edward Boyd
Address 2091 Victory Way Lane 63136
Offense Felon in Poss Firearm/Ammo
Arrest Register No. _____

District US MARSHAL
Officer _____
Date Occurred 2/1/97
Complaint No. _____

Article _____ Make _____ Caliber _____ Style _____ No. _____
RX Belle Wind Runner Cals 12 GA. 3" Tags, RX Belle W/Sabot Slugs 12GA 3" Tags, Winchester Power Supreme Lacquer 12GA 3" Shells

Delivered By _____ USM ELMC
Received By _____
Returned To _____
Date _____

MPD FORM LAB-13 (R-2)

MEMORANDUM OF CALL

Previous

TO:

☐ YOU WERE CALLED BY— ☐ YOU WERE VISITED BY—

OF (Organization)

☐ PLEASE PHONE ▶ (Enter area code)

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

ME

OPTIONAL FORM 63 (Rev. 7-84)
General Services Administration
☆ U.S. G.P.O.: 1995 401-385

156

Leaf a message

LEE LOUIE

2:22 P (SAT)

**MEMORANDUM OF CALL**

Previous editions usable

☐ YOU WERE CALLED — ☐ YOU WERE VISITED BY—

OF (Organization)

☐ PLEASE PHON. — AUTOVON

☐ WILL CALL AGAIN — SEE YOU

☐ RETURNED YOUR CALL — OINTMENT

MESSAGE

| RECEIVED BY | DATE | TIME |
|---|---|---|
| | | |

50363-111 NSN 7540-00-634-4018 OPTIONAL FORM 363 (Rev. 1-94)
Prescribed by GSA

*U.S. Government Printing Office: 1998 — 404-762/40004

REMARKS

ORD of approvals, concurrences, disposals, and similar actions

Room No.—Bldg.

Phone No.

OPTIONAL FORM 41 (Rev. 7-78)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

☆ U.S.G.P.O. 1992 312-070/40025

MEMORANDUM OF CALL

Previous editions usable

TO:

☐ YOU WERE CALLED BY— ☐ YOU WERE VISITED BY—

OF (Organization)

☐ PLEASE PHONE ☐ FTS ☐ AUTOVON

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

| RECEIVED BY | DATE | TIME |
|---|---|---|
| | | |

63-110 NSN 7540-00-634-4018 STANDARD FORM 63 (Rev. 8-81)
☆ U.S. G.P.O. 1991 281-781/40011 Prescribed by GSA
FPMR (41 CFR) 101—11.6

11/13/58

Rufus A Bell — name picked
Remembers Guy
Hot Action

1/7/59 - Picked up photo

[redacted]

Got photo for -

Got for

Pkup photo

139

1/12

DOES NOT RECOGNIZE

8/5/95 - TO completed form

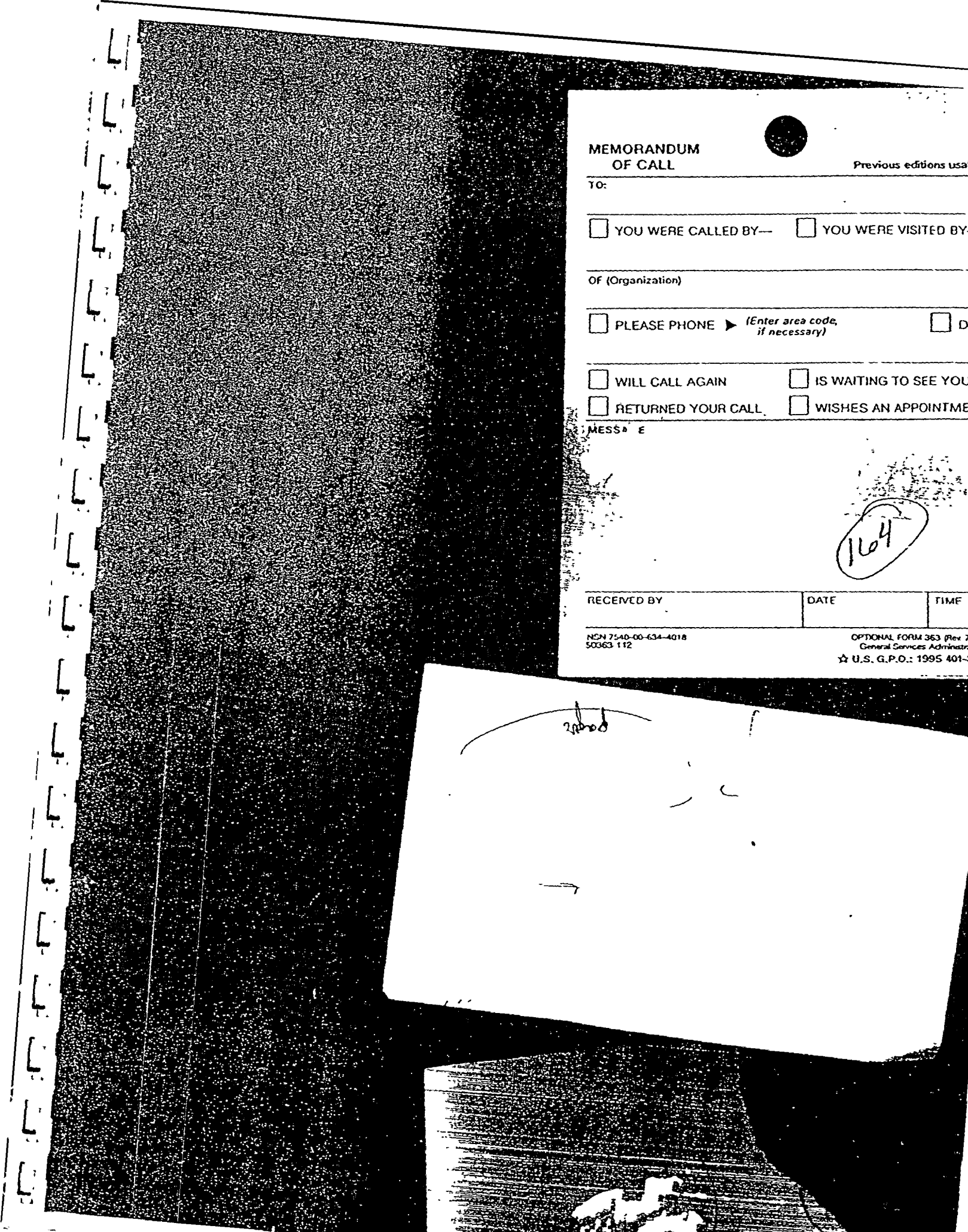
(10) does not recall a bug identification - he either showed TO, or was previously on file

1/9/98

8/5/96. DO [illegible]

161

163



MEMORANDUM
OF CALL

Previous editions usa

TO:

☐ YOU WERE CALLED BY— ☐ YOU WERE VISITED BY

OF (Organization)

☐ PLEASE PHONE ▶ (Enter area code, if necessary) ☐ D

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTME

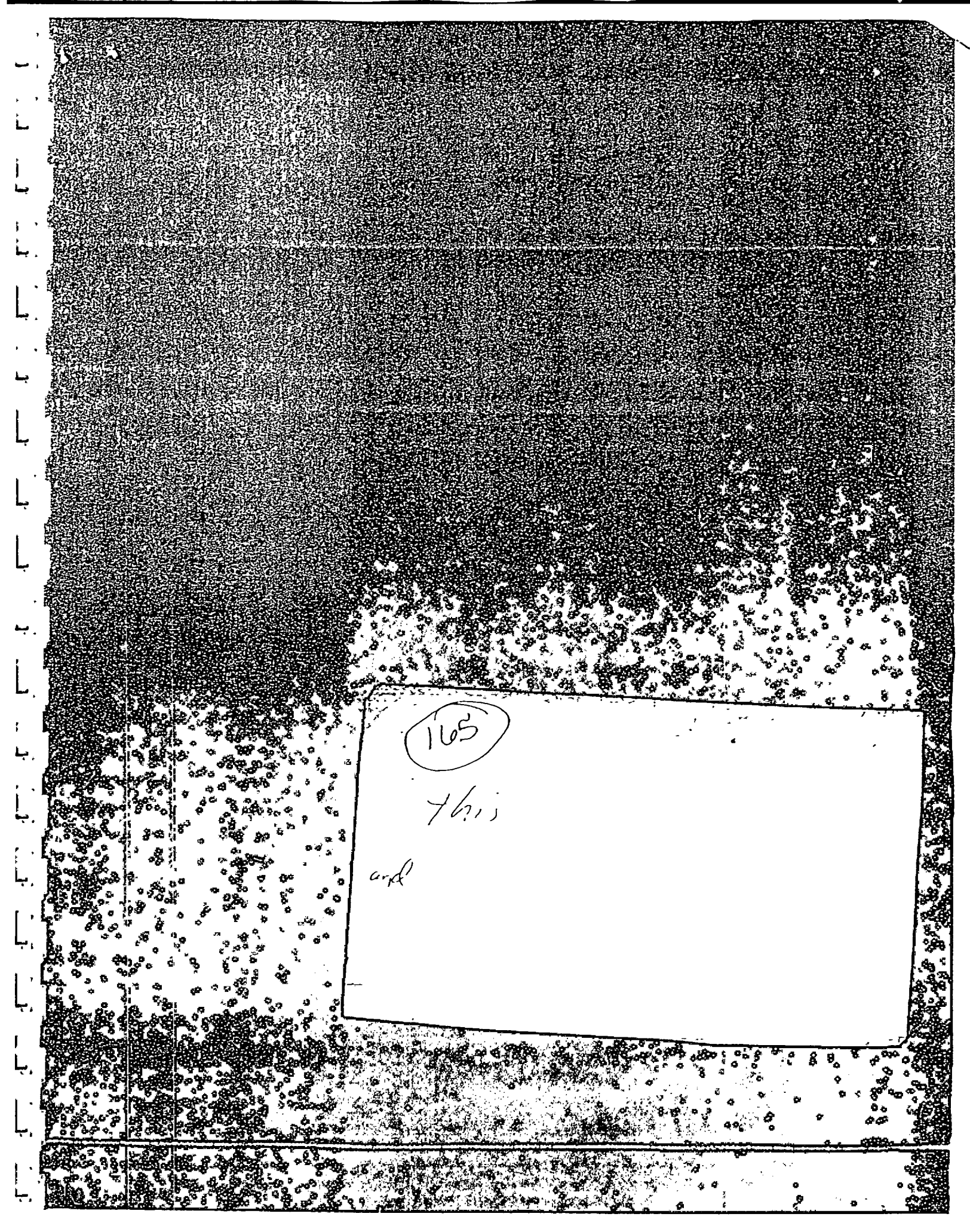
MESSAGE

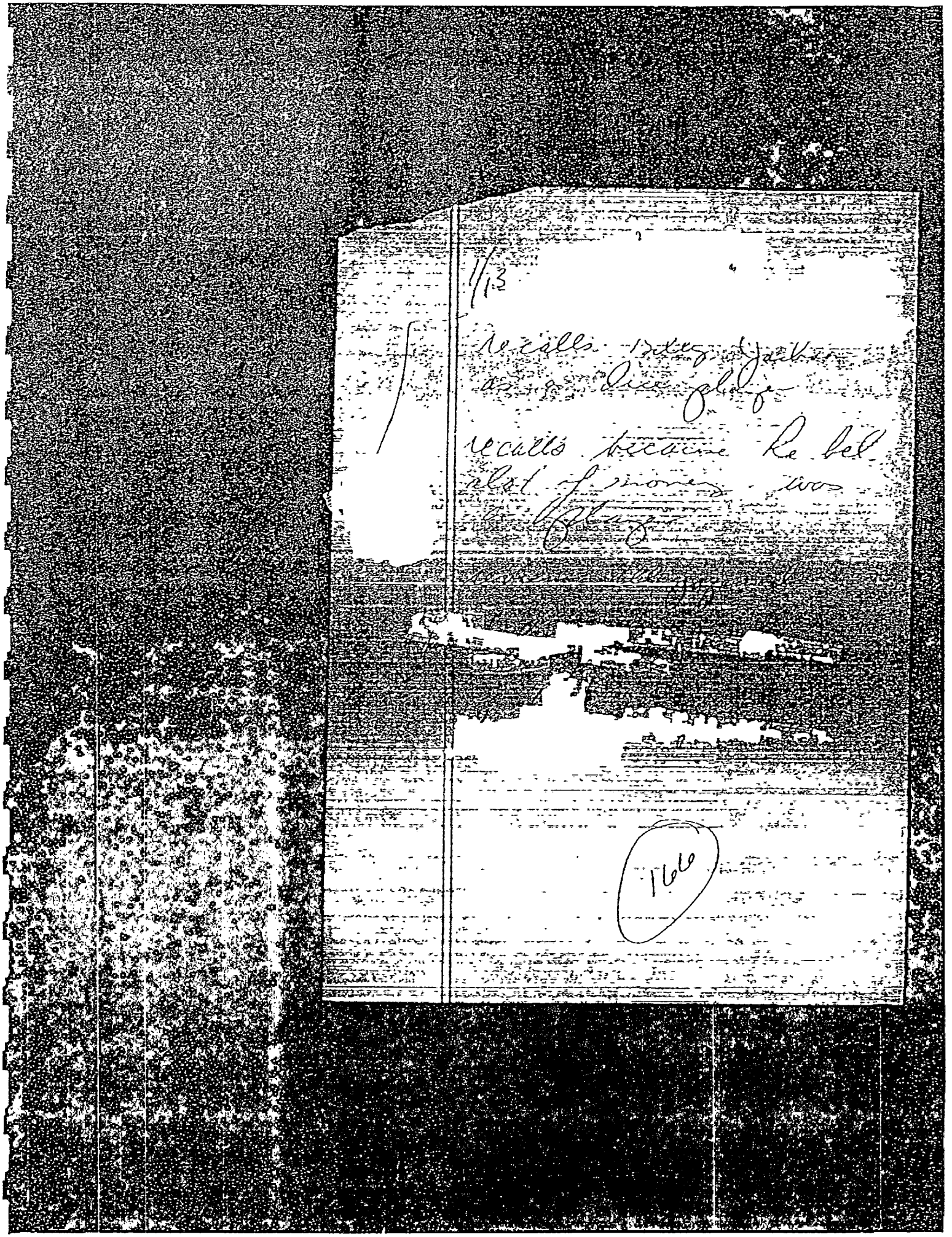
164

| RECEIVED BY | DATE | TIME |
|---|---|---|
| | | |

NSN 7540-00-634-4018
50363 112

OPTIONAL FORM 363 (Rev
General Services Administr
☆ U.S. G.P.O.: 1995 401-


165



Document # 167
2 Pages
Exemptions (b)(7)(C),
(b)(7)(D) and (b)(7)(F)

09/27 12/60

" "

09/26 (d) 12.5-80

05 43 (n)

168

(169)

10,15A

170

MEMORANDUM OF CALL

Previous editions usable

TO:

☒ YOU WERE CALLED BY- ☐ YOU WERE VISITED BY-

OF (Organization)

☒ PLEASE PHONE ▶ ☐ FTS ☐ AUTOVON

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

171

RECEIVED BY | DATE 2/9 | TIME 2:15

50063-111 NSN 7540-00-634-4018 OPTIONAL FORM 363 (Rev. 1-94) Prescribed by GSA

*U.S. Government Printing Office: 1996 — 404-762/40004

MEMORANDUM OF CALL

Previous editions u

TO

☒ YOU WERE CALLED BY-

OF

☒ AUTOVON

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

11:00

RECEIVED BY | DATE 2/3 | TIME 1:00

2/11
10:14

Flew 7-7-95 - CM - to handwriting - original
fingerprint play on back
reading greeting (173)
friendly played dice / some blackjack
also DO - did not do writing (printing)

[redacted] Bax [redacted] 3 [redacted]

do he fit Clyve ( ) also
Surveillance for photo of sub
tell some # locations, description.
approached asked for DO - Billy John
he was reluctant to provide the DO
he questioned why needed DO
I agreed to do it to be in accordance
w/ federal law

Debra tell had to make copy of DO
walked off w/ DO to copy machine - hard to
Lisa copy of 330 flow

11/11 Wanted DO = 11 Sa. mail - Jail O

2/11/98

1995

9/16/95 - Shaun CR (172)

@ Casino Queen

- Id her during recalls one
Id photo - Billy Jackson - c a little P
regular player - lost fairly regularly
saw approx 1X week
90% time wore STL Cardinals cap.
primarily Craps player.
Shaun 8/6/95 - Look like him

Shaun Id from file

Call cage / check pit for CR info.
asked about occupation
to get more specific info - doesn't recall
if asked Billy or if someone
else did

If approached - he would tell the truth
had put the money in, no. hint made (Reg 6A)
a habit to take an ID.

Document # 174
4 Pages
Exemptions (b)(7)(C),
(b)(7)(D) and (b)(7)(F)

9/6/9
1:31P

(1)

When I get home
come to talk
to Robin

(175)

Check w/ Jan Tuesday

Text him & Andrew say
Hello

(2)

went to IT

trying to find out if
the Stanley Boyd
took the
[illegible] the police took the
money

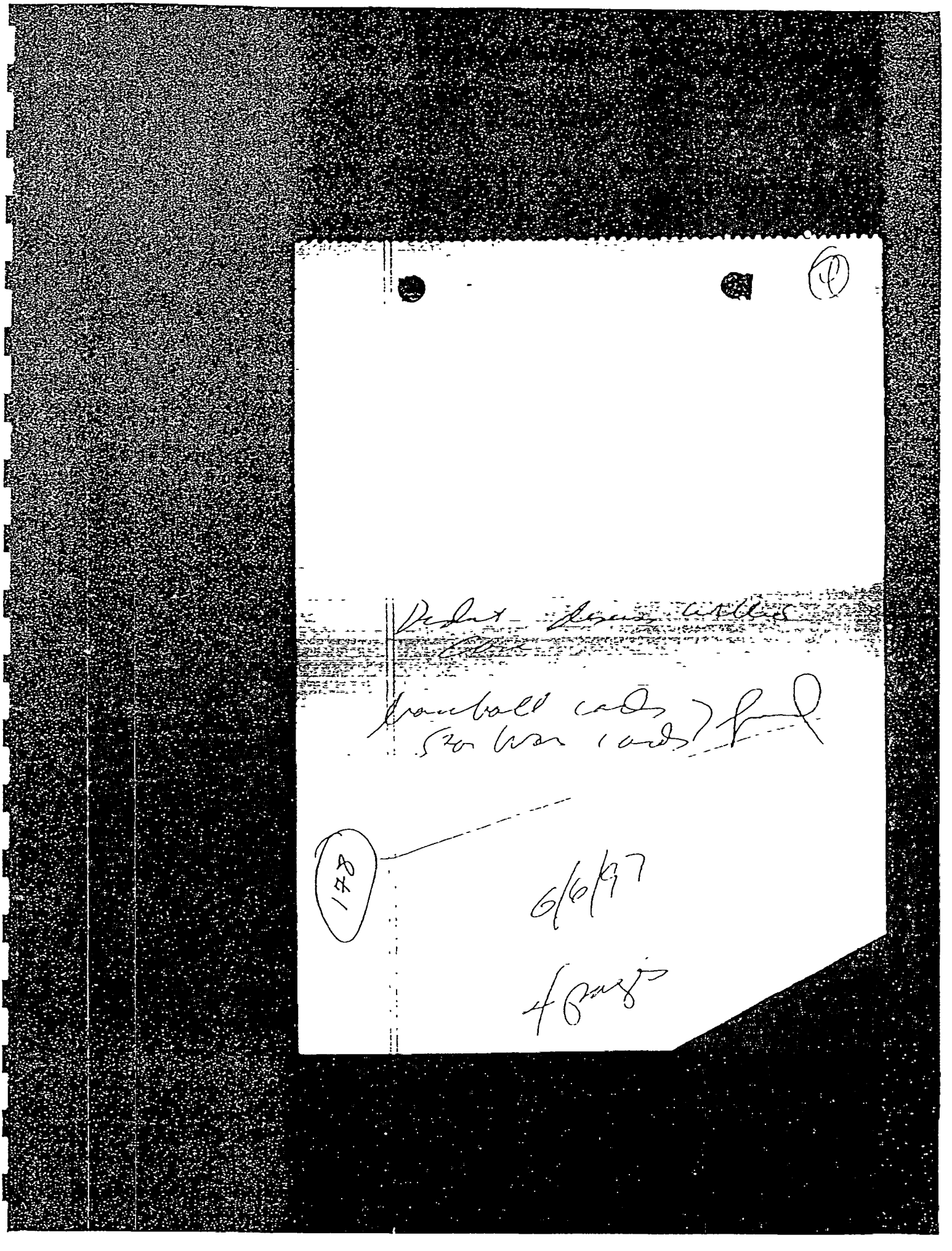
The cousin might have
taken the money to

(176)

Pledge to take to
IT - She said she
with me - She asked
about what was

told her basketball coaches

she said Police
probably took twice
to confirm [illegible]



08

YOUR TRANS UNION FILE NUMBER: 07[illegible]006-001
PAGE 1 OF 2 (INTL USE:
DATE THIS REPORT PRINTED: 11/04/9[illegible]

SOCIAL SECURITY NUMBER: 493-62-5241

YOU HAVE BEEN IN OUR FILES SINCE: 01/97

CONSUMER REPORT FOR:

JACKSON, BILLY, M
1793 SAGUNTO
ST LOUIS, MO 63138

## YOUR CREDIT INFORMATION

THE FOLLOWING ACCOUNTS CONTAIN INFORMATION WHICH SOME CREDITORS MAY CONSIDER TO BE ADVERSE. THE ADVERSE INFORMATION IN THESE ACCOUNTS HAS BEEN PRINTED IN >BRACKETS< FOR YOUR CONVENIENCE, TO HELP YOU UNDERSTAND YOUR REPORT. THEY ARE NOT BRACKETED THIS WAY FOR CREDITORS. (NOTE: THE ACCOUNT # MAY BE SCRAMBLED BY THE CREDITOR FOR YOUR PROTECTION).

>COLLECTION RECORD<
ALLIED INT #
>PLACED FOR COLLECTION<
UPDATED 10/97 BALANCE: $772
OPENED 03/97 MOST OWED: $618
CLOSED 05/96 >PAST DUE: $772<
>STATUS AS OF 05/96: COLLECTION ACCOUNT<

OPEN ACCOUNT
INDIVIDUAL ACCOUNT
AMERITECH ST LOUIS CELLULAR

>COLLECTION RECORD<
UCA #
>PLACED FOR COLLECTION<
UPDATED 06/97 BALANCE: $782
OPENED 03/97 MOST OWED: $782
CLOSED 03/97 >PAST DUE: $782<
>STATUS AS OF 03/97: COLLECTION ACCOUNT<

OPEN ACCOUNT
INDIVIDUAL ACCOUNT
AMERITECH CELLULAR STL CE

>COLLECTION RECORD<
CRD PRT ASSO #
>PLACED FOR COLLECTION<
UPDATED 03/97 BALANCE: $67
OPENED 12/96 MOST OWED: $67
CLOSED 09/96
>STATUS AS OF 09/96: COLLECTION ACCOUNT<

OPEN ACCOUNT
INDIVIDUAL ACCOUNT
CABLE AMERICA

COUNTRYSIDE #
>PLACED FOR COLLECTION<
VERIF'D 12/96 BALANCE: $1373
OPENED 01/96 MOST OWED: $355
CLOSED 12/96 >PAST DUE: $1373<
>STATUS AS OF 12/96: COLLECTION ACCOUNT<

INSTALLMENT ACCOUNT
INDIVIDUAL ACCOUNT
CREDIT LIMIT: $400

179

REPORT ON JACKSON, BILLY, M
SOCIAL SECURITY NUMBER: 493-62-5241 TRANS UNION FILE NUMBER: 97KA5994-001

THE FOLLOWING COMPANIES HAVE RECEIVED YOUR CREDIT REPORT. THEIR INQUIRIES REMAIN ON YOUR CREDIT REPORT FOR TWO YEARS (NOTE, "TU CONSUMER DISCLOSURE" INQUIRIES ARE NOT VIEWED BY CREDITORS).

| INQUIRY TYPE | DATE | SUBSCRIBER NAME |
|---|---|---|
| INDIVIDUAL | 11/04/97 | TU CONSUMER DISCLOSURE |
| INDIVIDUAL | 09/09/97 | NEWMAN,GOLDFARB,FREYMAN |
| INDIVIDUAL | 03/12/97 | ALLIED |

IF YOU BELIEVE ANY OF THE INFORMATION IN YOUR CREDIT REPORT IS INCORRECT, PLEASE LET US KNOW. FOR YOUR CONVENIENCE, AN INVESTIGATION FORM IS INCLUDED. PLEASE COMPLETE IT AND MAIL TO:

TRANS UNION CONSUMER RELATIONS
P.O. BOX 403
SPRINGFIELD, PA 19064-0403
1-800-916-8800

180

RECEIVED
U.S. ATTORNEY'S OFFICE
ST. LOUIS, MISSOURI
1997 NOV 10 AM 11:38

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
100 South 4th Street, Suite 750
St. Louis, Missouri 63102
September 24, 1997

Missouri Department of Revenue
Drivers License Bureau
Jefferson City, Missouri 65101

Dear Office Manager,

The St. Louis Field Office of the Bureau of Alcohol, Tobacco and Firearms (ATF) is currently presenting a federal prosecution in United States District Court in the Eastern Judicial District of Missouri. Certified copies of two (2) Missouri driver's licenses and one (1) Missouri nondriver's license is essential for that official prosecution.

The Missouri driver's license information requested is:

BOYD, Willie E. DOB 07/11/49
OLN/SSN Number 490-52-6605;

JACKSON, Billy M. DOB 08/19/51
OLN/SSN Number 493-62-5241;

The nondriver's license information requested is:

YOUNG, Michael F. DOB 04/06/49
OLN/SSN Number 545-60-3719;

Please mail the documents and any fee to:

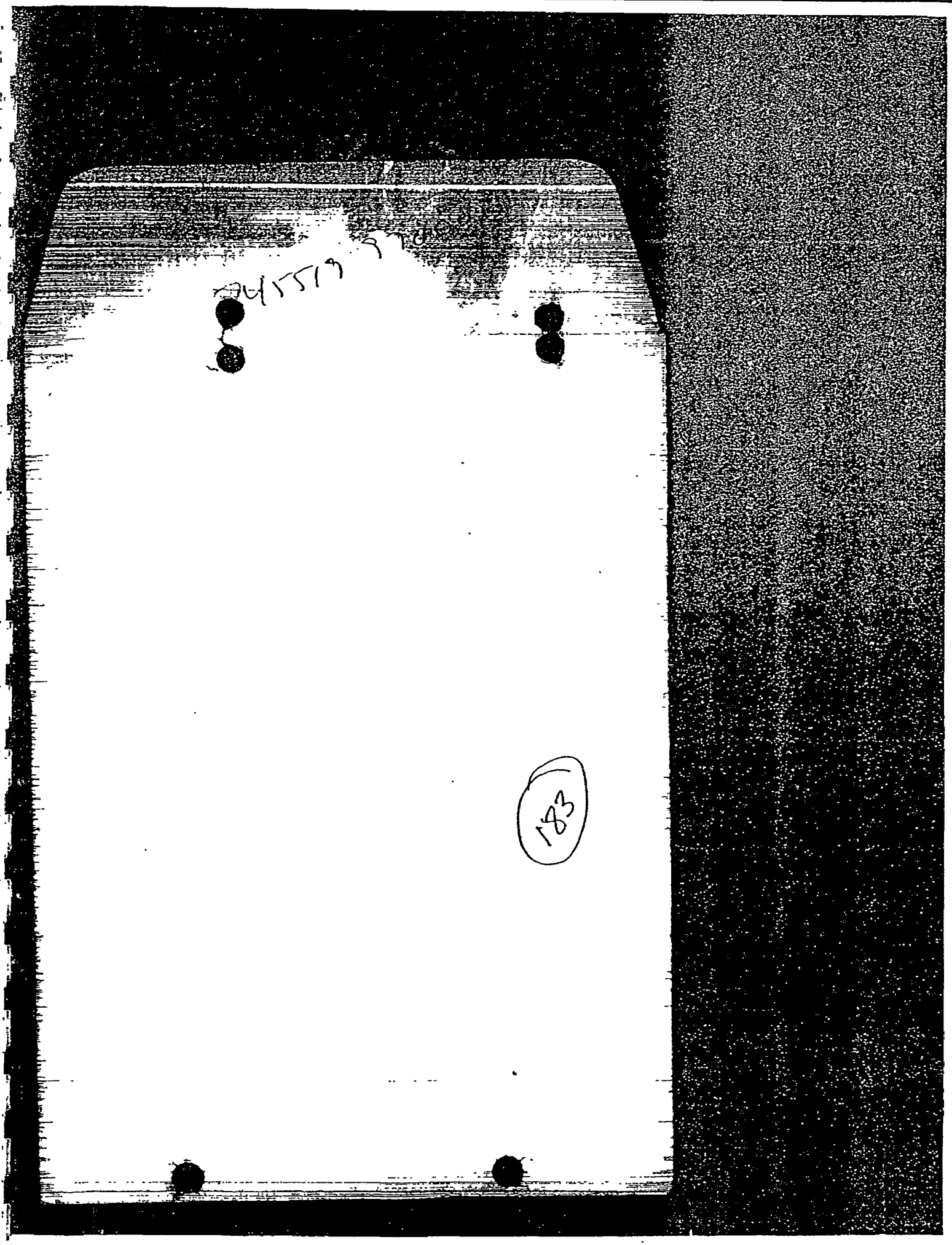
182

Special Agent
Bureau of Alcohol, Tobacco and Firearms,
100 South Fourth Street, Suite 750,
St. Louis, Missouri, 63102.

If there are any questions, please contact Agent at (314) 425- Thank you for your assistance in this matter.

Sincerely,

Special Agent in Charge
Kansas City Field Division



WARNING! DO NOT TOUCH!

# EVIDENCE

PISTOL ENVELOPE

COMPLAINT NUMBER

DATE: DISTRICT OF OCCURRENCE:

SUSPECT:

ADDRESS:

OFFENSE:

OFFICER: DSB: ASG:

WARRANT INFORMATION: Issued Refused Pending

not applied for under advisement juvenile

city charge only

VICTIM:

ADDRESS:

MAKE: CALIBER:

STYLE: NUMBER:

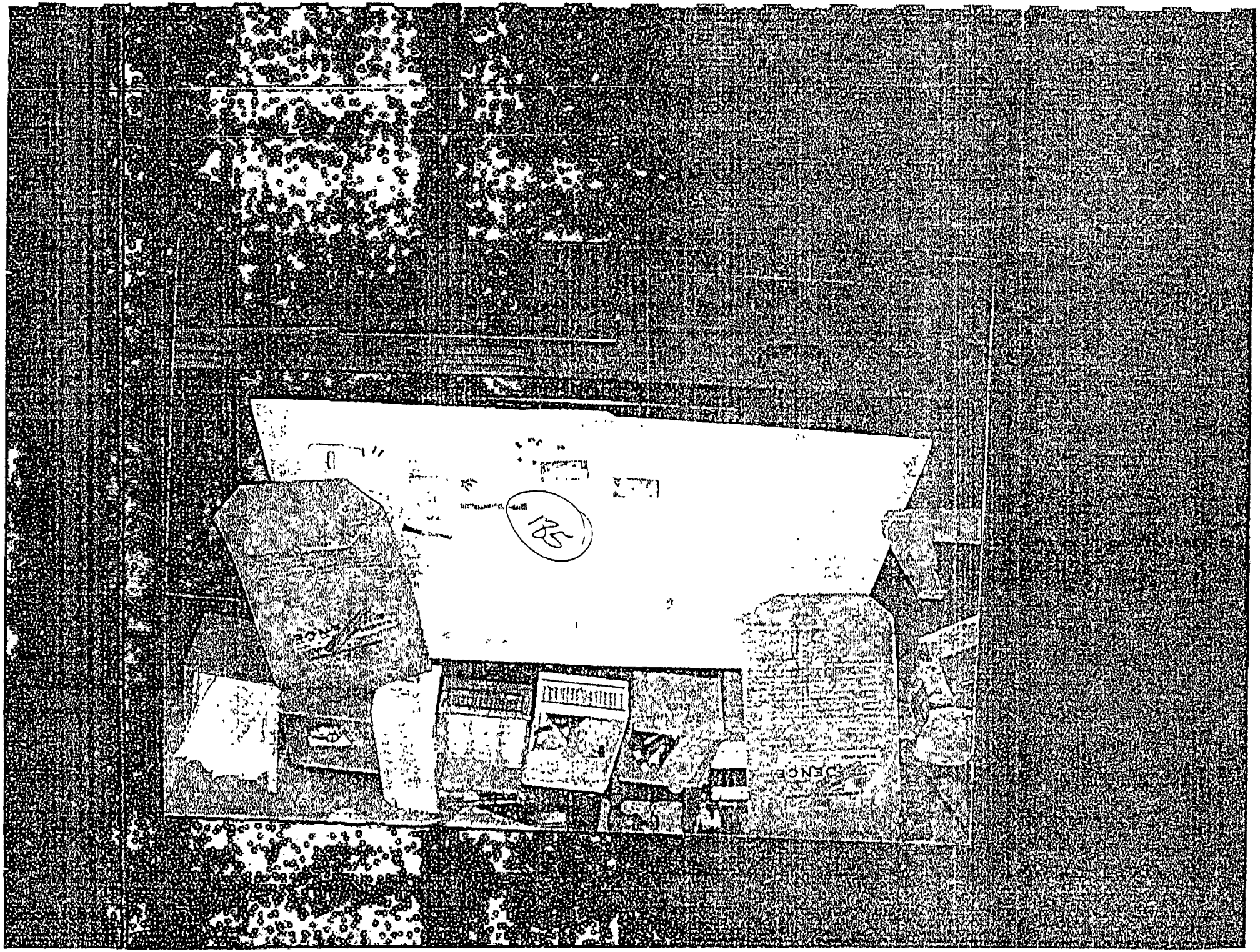
LABORATORY DIVISION

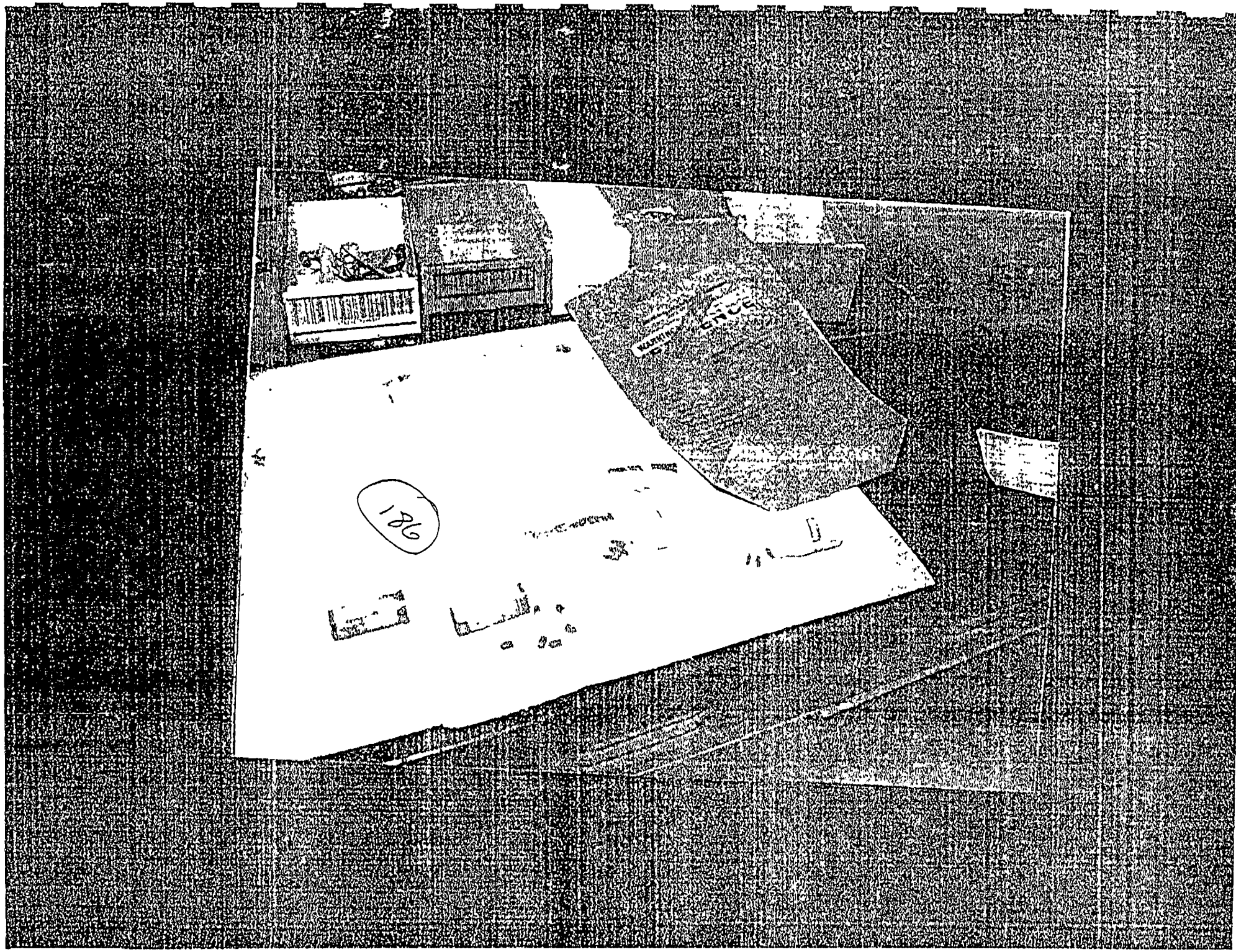
The corrections and notations entered hereon by the Firearms Identification Section of the Police Laboratory Division properly describe the evidence contained in this envelope.

Owner or Claimant of Gun

Name:

Address:




186

# EVIDENCE RECEIPT

METROPOLITAN POLICE DEPARTMENT
City of St. Louis
Laboratory

Date Rec'd. _____
Laboratory No. 97 FEB 5 12:01
Victim _____
Address _____

Suspect WILLIE EDWARD BOYD
Address 2091 VICTORY WAY LANE 63138
Offense FELON POSS FIREARM/AMMO
Arrest Register No. _____

District U.S. MARSHAL
Officer _____
Date Occurred 02-01-97
Complaint No. NA

Article OHAUS TRIPLE BEAM BALANCE BLACK 8.2FUN MAKE/MODEL
Make Caliber Style No.
10011 610 4SM-2 W/LID

Delivered By DUSM ELMO
Received By _____
Returned To _____
Date _____

MPD FORM LAB 13 (R-2)

# EVIDENCE RECEIPT

METROPOLITAN POLICE DEPARTMENT
City of St. Louis
Laboratory

(189)

Date Rec'd. 2-5-97
Laboratory No. _____
Victim _____
Address _____

Suspect WILLIE EDWARD BOYD
Address 2091 VICTORY WAY LN
Offense FELON POSS FA W/ MAG
Arrest Register No. _____

District U.S. MARSHALL
Officer _____
Date Occurred 2-5-97
Complaint No. NA

Article GLOCK 9mm SEMI ALX768
Make Caliber Style No.
AUTO PISTOL
MAGAZINE + AMMO

Delivered By DUSM ELMO
Received By _____
Returned To _____
Date _____

MPD FORM LAB-13 (R-2)

# EVIDENCE RECEIPT

METROPOLITAN POLICE DEPARTMENT
City of St. Louis
**Laboratory**

Date Rec'd. _____
Laboratory No. 97 FEB 5 12:01
Victim _____
Address _____

Suspect WILLIE EDWARD BOYD
Address 2091 VICTORY WAY LANE 63138
Offense FELON POSS FIREARM/AMMO
Arrest Register No. _____

District U.S. MARSHAL
Officer _____
Date Occurred 02-01-97
Complaint No. NA

Article OHAUS TRIPLE BEAM BALANCE BLACK BRAUN MINER/WINSFIELD
Make Caliber Style No.
MODEL 616 MSM-2 W/LID

Delivered By USM ELMO
Received By _____

Returned To _____
Date _____

MPD FORM LAB-13 (R-2)

# EVIDENCE RECEIPT

METROPOLITAN POLICE DEPARTMENT
City of St. Louis
**Laboratory**

191

Date Rec'd. _____
Laboratory No. 97 FEB 5 12:01
Victim _____
Address _____

Suspect WILLIE EDWARD BOYD
Address 2091 VICTORY WAY LANE 63138
Offense FELON POSS FIREARM AMMO
Arrest Register No. _____

District U.S. MARSHAL
Office _____
Date Occurred 2-1-97
Complaint No. _____

Article ONE PLASTIC BAG CONTAINING APPROX 7.5gms OF White Powder
Make Caliber Style No.
-ONE PLASTIC BAG CONTAINING APPROX 39gms OF WHITE POWDER
-ONE PLASTIC BAG CONTAINING (4) BROWN/BEIGE CAPSULES

Delivered By USM ELMO
Received By _____

Returned To _____
Date _____

MPD FORM LAB-13 (R-2)

Document # 192
1 Page
Exemption (b)(7)(C)

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

WILLIE BOYD
# 18498-044
P.O. Box 5000, 3-A
Greenville, Il. 62246

Plaintiff, pro-se,

v.

UNITED STATES MARSHALS SERVICE
600 Army Navy Drive
Arlington, Virginia 22202-4210
and
BUREAU OF ALCOHOL, TABACCO and FIREARMS, Department of the TREASURY,
Washington, D.C. 20226
and
Federal BUREAU OF PRISONS
320 First Street, N.W.
Washington, D.C. 20534
and
[illegible]
DEPARTMENT OF JUSTICE
Washington, D.C. 20530,

Defendants.

Case No: 99-2712

FREEDOM OF INFORMATION ACT SUIT

NOV 0 2 1999

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

193

**AMENDED COMPLAINT FOR DECLARATORY & INJUNCTIVE RELIEF PRETAINING TO THE RECORDS OF WILLIE BOYD**

**COMES NOW**, Plaintiff, Willie Boyd, pro-se and as for his **AMENDED COMPLAINT** against the above named defendants hereby claims and alleges the following;

1. Plaintiff, WILLIE BOYD, is a United States Citizen of Illinois and a proper party of this action.

2. Defendants, United States Marshals Service, Bureau Of Alcohol, Tabacco & Firearms, Federal Bureau of Prisons and the Executive Office for United States Attorneys are "agencies" governed by the Freedom of Information Act.



7

3. This Court has Jurisdiction and Venue to entertain this under 5 U.S.C. § 552 the Freedom of Information Act.

**COUNT-1**

1. By letter dated December 12, 1998, Plaintiff, requested information from the United States Marshals Service ( Hereinafter "Marshals" ) in any way connected to his name.

2. By letter dated January 11, 1999, the Marshals advised Plaintiff that they had started a search for documents and that Plaintiff would be notified when the search was completed.

3. By letter dated February 18, 1999, the Marshals advised Plaintiff, that his request is being denied pursuant to exemption (b)(7)(A), denying Plaintiff's request because, " could reasonably be expected to interfere with enforcement proceedings."

the decision by the Marshals to the Office of Information and Privacy, challenging the blanket denial by using (b)(7)(A).

5. By letter dated March 2, 1999 the Office of Information and Privacy, advised Plaintiff, that there would be a delay because of a substantial backlog. (194)

6. Plaintiff has not heard from the Office of Information and Privacy, since March 2, 1999, until September 20, 1999, after Plaintiff, had filed a Freedom of Information Act Suit against the Marshals, on September 7, 1999, for gross violations of the statutory time limits of the FOIA.

7. By letter Sptember 27, 1999, the Marshals sent Plaintiff, a package expressing that the release of documents was not a full access to the records for which I was seeking. Plaintiff,

advised his United Counselor Ms. Z. Bell, to send the package back to the Marshals because Plaintiff, felt the Marshals were acting in bad faith being that the exemption no longer applied and wanted to only send limit materials after concedeing that they had no right to withhold the records. After Plaintiff, filed suit for the documents the Marshals want to impede the process by giving up only limited access

8. Plaintiff, restates for the record, he has no cash or real property for which forfeiture proceedings would be interfered with, so there is no justification to withhold the requested documents for those reasons.

9. Being that the Marshals has conceded that exemption (b)(7)(A), does no longer apply and the Marshals are in violation of statutory time limits of the FOIA, all the records should be Vaughn itemized and the indexing, and the Court should make sure the Marshals are acting in good faith toward the Plaintiff.

10. Plaintiff, has a complelling and urgent need to obtain the records.

195

11. Defendant is in violation of FOIA, by not releasing the files requested, the is no legal justification for the delay.

COUNT-2

1. By letter dated December 12, 1998, to Defendant Bureau of Alcohol & Firearms ( Hereinafter "ATF" ) Plaintiff requested all information in connection to his name.

2. By letter dated February 4, 1999, advised Plaintiff that his case was being denied under (b)(7)(A), " as release of this information could interfere with law enforment proceedings,

also that Plaintiff case was still under apeal and that forfeiture proceedings are still ongoing.

3. By letter dated February 16, 1999, Plaintiff appealed the blanket denial of ATF, flat denial of all records pretaining to Plaintiff by using (b)(7)(A).

4. By letter dated February 24, 1999, the Office of Information and Privacy, advised Plaintiff that his appeal was received and to expect a reply within 20 working days from the date it was received.

5. By letter dated April 16, 1999, the Office of Information and Privacy, advised Plaintiff that his request would be denied using (b)(7)(A) and citied several legal reasons.

6. Plaintiff has no cash or real property for which forfeification to withhold the requested documents for those reasons.

7. Plaintiff has a ccmplelling and urgent need to obtain the records.

8. Defendant is in violation of FOIA., by not releasing files requested, there is no legal justification for the delay.

COUNT-3

196

1. By letter dated December 12, 1998, Plaintiff, requested information from the Federal Bureau of Prisons ( Hereinafter "BOP" in any way connected to his name.

2. By letter dated January 29, 1999, the BOP, advised Plaintiff, that 16-pages of material are being released VIA the institutional file. They BOP, advised Plaintiff, that certain records are being withheld under the exemptions (b)(3),

(b)(6), (b)(7)(A) and (b)(7)(C) which was 63-pages of material.

3. By letter Feb. 10, 1999, Plaintiff appealed the decision by the BOP, to the Office of Information and Privacy, challenging the withholding of the 63-pages of material. Plus Plaintiff expressed in the letter he had not received the 16-pages.

4. By letter Feb. 16, 1999, Plaintiff, appealed again the decision by the BOP, to the Office of Information and Privacy, the withholding of the 63-pages, after receiving the released 16-pages.

5. By letter Feb. 26, 1999 the Office of Information and Privacy, advised Plaintiff, that there would be a delay because of the substantial backlog and was given an appeal number.

6. By letter March 1, 1999, the Office of Information and Privacy, advised Plaintiff that there would be a delay because of the substantial backlog and was given a different number.

7. By letter April 14, 1999, the Office of Information and Privacy, advised Plaintiff that there was some confusion about the appeal numbers and he appeal was being processed.

8. By letter July 13, 1999, the Office of Information and Privacy, advised Plaintiff, that he was receiving 20-pages, from the 63-pages being withheld and another 11-pages were being sent to the Executive Office for U.S. Attorneys, because they were generated from their offices. The Office of Information and Privacy, using exemptions (b)(3)(5) and (b)(7(C) and by stature Title iii of the Omnibus Crime Control and Safe Street Act 18 U.S.C. § 2217, also in this this package was a memo:

197

> "On May 15, 1997, a subpoena was issued by United states District Courts for Eastern Missouri. This subpoena was for copy(s) of telephone conversations which were taped in the course of telephone monitoring

at FCI Greenville. Enclosed in this file are all copies of documentation regarding this subpoena. Also enclosed are all evidence handling materials pertinent to relinguished copies of said calls. Master Dictaphone tapes will not be held as evidence by this office, as directed by the Assistant U.S. Attorney Gary Gaertner, Jr."

9. By letter July 18, 1999 the denial for the withheld documents was appealed by Plaintiff, stating that in this memo it appears that Assistant U.S. Attorney Gary Gaertner, JR. was Obstructing Justice, when he directed the BOP, not to hold the Master Dictaphone tapes as evidence, when he only displayed 1-tape in discovery at the Court proceedings of Plaintiff at a Evidentiary Hearing as evidence. If in fact there was more than 1-tape released to Assistant U.S. Attorney Gary Gaertner, under subpoena this information should be given to Plaintiff.

1997, subpoena, dealing with AUSA. Gary Gaertner's, direction to the BOP, should be given to Plaintiff. See: Exhibit-A ( A letter from the Office of Information and Privacy, with Memo, this Memo is on page-8, of the documents, marked at bottom of page.

(198)

10. By letter dated August 4, 1999, the Executive Office for U.S. Attorneys, some records were released to Plaintiff, in the letter the EOUSA, said they had reviewed 11-pages, 4 are being released in full, 5 released in part, and 2 denied.

11. By letter dated August 12, 1999, Plaintiff, appealed this flat denial, to the EOUSA.

12. The OiP, as of July 13, 1999, has not responded to to Plaintiffs appeals.

13. Plaintiff, has a compelling and urgent need to obtain the records.

14. Defendant is in violation of FOIA, by not releasing files requested, there is no legal justification for the delay. If it serves the public good to release any and all material involved in the misconduct of a public office, its the duty for this agencie to do so.

COUNT-4

1. By letter dated Feb. 14, 1999, Plaintiff, requested information from the Executive Office for United States Attorneys ( Hereinafter "EOUSA" ) in any way connected to his name.

2. By letter March 2, 1999, the EOUSA, advised Plaintiff that they needed a proof of identity and they wanted Plaintiff

3. By letter March 9, 1999, Plaintiff, sent EOUSA, a certificate of identity and the location where the records where being kept.

4. By letter April 5, 1999, the EOUSA, advised Plaintiff that is request was being denied using (b)(7)(A) and (j)(2) and Plaintiff was notified this was a full denial. (199)

5. By letter April 12, 1999, Plaintiff, appealed the denial to the Office of Information and Privacy, challenging (b)(7)(A) and (j)(2) and the full denial.

6. By letter May 4, 1999, the EOUSA, advised Plaintiff, they had received his appeal and had assigned him a number.

7. By letter July 12, 1999, Plaintiff, again moved for more detailed documents from the EOUSA, requesting the records

of government informant Byrant Troupe.

8. By letter July 22, 1999, Plaintiff, again moved for more detailed documents from the EOUSA, requesting the Jencks and/or Brady material, thats in his case files pretaining to case U.S. v. Boyd, 4:97CR301(SNL).

9. By letter August 3, 1999, the EOUSA, advised Plaintiff to make a more detailed request because time constrains and that fees up to $ 25.00 dollars would be charged for records.

10. By letter August 4, 1999, the EOUSA, advised Plaintiff that he had requested records pertaining to a third party, and those records cannot be released absent express authorization and consent of third party or proof subject was deceased.

11. By letter August 10, 1999, Plaintiff, appealed to the

records pertaining to Byrant Troupe, because of his clear waivers to any privacy rights. See: ( Exhibit-B, Government Informant Byrant Troupe's, admitted involvement in selling drugs for over 6-years while acting as an informant for law enforcement. )

12. By letter August 12, 1999, Plaintiff, sent EOUSA, a copy of the letter of August 10, 1999, that Plaintiff had sent to OIP, pertaining to Byrant Troupe, giving them and opportunity to respond. See; ( EXHIBIT-C ) (200)

13. By letter August 12, 1999, Plaintiff, sent EOUSA, a detailed request for his Jencks and/or Brady material. See: ( Exhibit-D, By the Government Attorney agreeing to exchange Jencks discovery material with trial Counselor, before trial if infact the Counselor would do likewise, and the records

show that the trial fullfilled his part of the obligation the records should have been released to Plaintiff. )

14. By letter September 1, 1999, Plaintiff, notified the OIP, that he had sent EOUSA, detailed request for records on Byrant Troupe and the request for Jencks and/or Brady material.

15. As of August 4, 1999, Plaintiff, has not heard from EOUSA, concerning the requested records.

16. Since May 4, 1999, the Office of Information and Privacy has not responded to Plaintiffs request the the records.

17. Plaintiff has a compelling and urgent need to obtain the records.

18. Defendant is in gross violation of FOIA., by not releasing files requested, there is no legal justification

## GENERAL CLAIMS

Plaintiff has fully exhausted all adminstrative remedies as to each of the above Counts 1-4.

WHEREFORE, Plaintiff prays for the following relief:

1. Declaratory relief in that defendants, each of them be declared in violation of the FOIA;

2. Injunctive relief in that Defendants, each of them, be ordered to provide Plaintiff access to the requested records;

3. That these proceedings be expedited according to FOIA law;

4. That santions be imposed against those found to knowingly and willingly deprived Plaintiff of his access due;

5. That each agency be ordered to provide a full Vaughn itemization and indexing with justification by sworn affidavit

for records yet to be withheld;

6. Any further relief this Court deems just and proper.

7. Grant Plaintiff attorney fees/research/clerical fees he incurred.

Respectfully Submitted this October 6th 1999;

By Willie L. Boyd

Willie Boyd
# 18498-044
P.O. Box 5000, 3-A
Greenville, Il.
62246

202

STATE OF ILLINOIS)
)
COUNTY OF BOND )

SS: A F F I D A V I T

I, Willie Boyd, after having been duly sworn and under oath hereby states that the above complaint is true and correct both in substance and in fact.

Further affiant sayst naught.

Executed this 6th day of OCTOBER, 1999, by Willie Boyd

( 28 U.S.C. § 1746

Willie Boyd
# 18498-044
P.O. Box 5000, 3-A
Greenville, Il.
62246

203

# EXHIBIT-A

204

U.S. Department of Justice

Office of Information and Privacy

*Telephone: (202) 514-3642* *Washington, D.C. 20530*

JUL 13 1999

Mr. Willie J. Boyd
Register No. 18498-044
Federal Correctional Institution
Post Office Box 5000
Greenville, IL 62246

Re: Appeal No. 99-1559
RLH:CSH:FPM

Dear Mr. Boyd:

You appealed from the action of the North Central Regional Office of the Bureau of Prisons on your request for access to records pertaining to yourself.

As a result of discussions between BOP personnel and a member of my staff, a supplemental release of twenty pages is enclosed. In light of this fact and after careful consideration of your appeal, I have otherwise decided to affirm the action in this case. The records responsive to your request are exempt from the access provision of the Privacy Act of 1974 pursuant to 5 U.S.C. § 552a(j)(2). See 28 C.F.R. § 16.97 (1998). Accord-

withheld from you pursuant to 5 U.S.C. § 552(b)(3), (5), and (7)(C). These provisions pertain to material exempted from release by statute (in this instance, Title III of the Omnibus Crime Control and Safe Streets Act, 18 U.S.C. § 2517, which limits the use and disclosure of information obtained from any interception of wire communications), to certain inter- and intra-agency communications protected by the deliberative process privilege and the attorney work-product privilege, and to records or information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties. This material is not appropriate for discretionary release.

Furthermore, the eleven pages withheld from you by the BOP originated with the United States Attorney's Office. In accordance with departmental regulations, 28 C.F.R. § 16.4(c)(1998), these records have been referred to the Executive Office for United States Attorneys for review and direct response to you. Therefore, please direct any further inquiries concerning these documents to:

205

Mr. Douglas Frazier
Acting Assistant Director
Executive Office for U.S. Attorneys
Freedom of Information/Privacy Act Unit
600 E Street NW., Room 7100
Washington, D.C. 20530-0001

Your request for itemization of the material withheld, with a justification in each instance, is denied. In my opinion, such a listing is not required and would be unreasonably burdensome for this Department to compile at the administrative stage of processing FOIA requests and appeals.

Judicial review of my action on this appeal is available to you in the United States District Court for the judicial district in which you reside, or in the District of Columbia, or in the District of Kansas, which is where the records you seek are located.

Sincerely,

Richard L. Huff
Co-Director

Enclosure

206

3

P.S. 1380.05
August 1, 1995
Attachment I, Page 1

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS

Receipt for Property Received/Returned/Released/Seized

On (date) August 28, 1997 Item(s) listed below were:

_____ Received From
_____ Returned To
XX Released To
_____ Seized

b7C

(Name) [redacted] Special Agent / A.T.F.

(Street Address) MCI Building 100 S. Fourth Street, Suite 750

(City) ST. Louis, MO. 63102

Description of Item(s):

[redacted] 12 FT. H. TT

207

Received by [redacted] Received From: M. [illegible]
(Signature)

b7C

7089-1

3

P.S. 1380.05
August 1, 1995
Attachment G, Page 1

CHAIN OF CUSTODY LOG
(Enclose with/attach to evidence)

CASE ID NUMBER: 7089 SUSPECT (If known) Boyd, #18498-044

DESCRIPTION OF ITEM: Cassette Audio Tape

DATE/TIME ITEM FOUND: [redacted] 63/Title III

LOCATION: SIS office

SIGNATURE OF PERSON RECOVERING EVIDENCE: [signature]

PRINTED NAME: Timothy W McKnight

EVIDENCE PLACED IN EVIDENCE LOCKER BY: [signature]

DATE/TIME PLACED IN EVIDENCE LOCKER: 8/21/97 1545 Hrs.

DISPOSITION:

X Hold as evidence / / Return to owner / / Lab Analysis
/ / Return to finder / / Destroy immediately / / FBI
X Other

CHAIN OF CUSTODY

| Evidence Released To | Date/Time | Destination | Released By |
|---|---|---|---|
| [signature] | 8/21/97 1540 | SIS Locker | [signature] |
| [redacted] | 8/28/97 1515 | St. Louis, Mo. | [signature] |
| b7C | | | |

208

U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons

P.S. 1380.05
August 1, 1995
Attachment F, Page 1

SIS EVIDENCE COVERY LOG

LOCATION: Gre 515 STAFF: McKnight

DATE: 8/21/97

CASE I.D.: 7089

PREPARER/ASSISTANTS: GeLios

| ITEM # | ECN | DESCRIPTION | WHERE FOUND 63/TiHeIII | RECOVERE | PHOTO | MARKING DIRECT • D INDIRECT • I | PACKAGING METHOD | MISC. COMMENTS |
|---|---|---|---|---|---|---|---|---|
| 1 | 7054-1 | Audio Casette | [redacted] | McKnig | N | D | N | |
| 2 | 7054-2 | 4 Photos | 1/30/95 | GeLi | N | D | N | |

CARL L. EPSTEIN
ATTORNEY AT LAW
FIRST INDIANA PLAZA, SUITE 1150
135 NORTH PENNSYLVANIA STREET
INDIANAPOLIS, INDIANA 46204
TELEPHONE (317) 684-5660
FAX (317) 231-1106

Also Admitted
in District of Columbia
and Pennsylvania

February 6, 1998

Mr. Vince Arisman
Trust Fund Supervisor
Federal Correctional Institution
P.O. Box 4000
100 U.S. Route 40
Greenville, Illinois 62246

RE: United States of America vs. Willie E. Boyd
United States District Court
Eastern District of Missouri
Cause No: 4-97CR-301-SNL

Dear Mr. Arisman:

Judge Mary Ann Medler, in her Court, on February 13, 1998 at 1:00 P.M. for a Motions Hearing. The Court is located at 114 Market Street, St. Louis, Missouri, on the 7th floor, Room 736.

Please note the items on the subpoena that you are ordered to bring with you to the hearing.

Sincerely,

Carl L Epstein

Carl Epstein

CLE/at
Enclosure

210

)S (Rev. 11/91) Subpoena in a Criminal Case

# United States District Court

Eastern DISTRICT OF Missouri

United States of America

V.

SUBPOENA IN A CRIMINAL CASE

Willie E. Boyd

CASE NUMBER: 4-97CR-301-S

TO:
Mr. Vince Arisman
Trust Fund Supervisor
Federal Correctional Institution
P.O. Box 4000, 100 U.S. Route 40
Greenville, Illinois 62246

[X] YOU ARE COMMANDED to appear in the United States District Court at the place, date and time specified below t testify in the above case.

| PLACE | COURTROOM |
|---|---|
| United States District Court<br>Eastern District of Missouri<br>1114 Market Street<br>St. Louis, Missouri | Room [illegible] |
| | DATE AND TIME<br>February 13, 1998<br>at 1:00 P.M. |

[X] YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

1. All phone approval lists (approved and not approved) pertaining to Defendant, Willie E. Boyd, while detained in Unit 3-A at the Federal Correctional Institute at Greenville, Illinois.

2. All notes, documents, records, and memoranda and materials of every description whatsoever regarding all telephone calls made by s[illegible] inmate while detained in Unit 3-A. All tape recordings of each of said calls made by said inmate while so detained in [illegible] Unit 3-A.

3. All notes, documents, records and memoranda, and materials of every description whatsoever indicating the presence of signs [illegible] warning the inmates then occupying Unit 3-A that directed [illegible] telephone calls were subject to monitoring and recording.

| U.S. MAGISTRATE JUDGE OR CLERK OF COURT | DATE |
|---|---|
| (BY) DEPUTY CLERK | 10-6-97 |

211

ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER

Carl L. Epstein
First Indiana Plaza, Suite 1150
135 N. Pennsylvania Street (317) 684-5660
Indianapolis, Indiana 46204

On May 15, 1997, a subpoena was issued by the United States District Court for Eastern Missouri. This subpoena was for copy(s) of telephone conversations which were taped in the course of telephone monitoring at FCI Greenville. Enclosed in this file are all copies of documentation regarding this subpoena. Also enclosed are all evidence handling materials pertinent to relinguished copies of said calls. Master Dictaphone tapes will not be held as evidence by this office, as directed by the Assistant U.S. Attorney Gary Gaertner Jr.

212

# TELEPHONE NUMBER REQUEST - INMATE

U S Department of Justice — Federal Bureau of Pris.

I am requesting that the following names and telephone numbers, be placed on my telephone list state that to the best of my knowledge, the persons on this list are agreeable to receiving my call and that telephone calls to those persons will be made for purposes allowable under Bureau poli and institution guidelines. I understand that submitting more than 30 numbers requires the appro of the Associate Warden

| Register No | Inmate Name (Print) | Unit |
|---|---|---|
| 18498-044 | Willie E. Boyd | H-3A |

Inmate Signature: Willie E. Boyd — Date: 3-3-97

You will be notified by a member of your unit staff if a telephone number is not placed on your telephone list

| | Area Code / Telephone Number | Name / Relationship | Street Address / City / State / Zip Code / County | Date |
|---|---|---|---|---|
| | 314-[illegible] | Jamison Ivonne: Cousin | St Louis Mo 63138 1435 DeSoto | 3/4/97 |
| A | 314(535-5215 | Albert Grigsby | St Louis MO 63107 | N/A |
| A | 314-531-8771 | Kenneth Boyd Brother | 3900 Sullivan St Louis MO 63107 | " |
| A | 314-382-1303 | Eric Cole Daughter | 4665 Natural Bridge St Louis MO 63115 | 3-4-97 |
| A | 314-652-0249 | Jacqueline Boyd | 1408 E. DeSoto St Louis MO. 63107 | N/A |
| A | 314-361-3079 | Glenda Brown Sister | 5574 Vernon St Louis Mo 63112 | 3-4-97 |
| A | 314 535-7754 | Solomon Fisher Friend | 4400 Kossuth St Louis MO 63107 | -/ |
| A | 314-535-7637 | Mary DeArmon Mother | 4421 W. Pine St Louis MO 63108 | N/ |
| | | | | |
| 10 | | | 213 | |

Use additional sheet(s) for more than 10 requests at this time

Please complete for use by Non English Speaking Trust Fund Staff

Verified by Unit Staff (Initials, Printed Name and Signature) — Date: 3-4-97

Second Signature if Copy Certified — Copy Initials

TELEPHONE NUMBER REQUEST - INMATE

DEC 95

U.S. DEPARTMENT OF JUSTICE — FEDERAL BUREAU OF PRISONS

I am requesting that the following names and telephone numbers be placed on my telephone list. I state that to the best of my knowledge the persons on this list are agreeable to receiving my calls and that telephone calls to those persons will be made for purposes allowable under Bureau policy and institution guidelines. I understand that submitting more than 30 numbers requires the approval of the Associate Warden.

| Register No. | Inmate Name (Print) | Unit |
|---|---|---|
| 18458-044 | Willie Boyd | HS-A |

| Inmate Signature | Date |
|---|---|
| Willie Boyd | 3-11-97 |

You will be notified by a member of your unit staff if a telephone number is not placed on your telephone list.

| | A=Add D=Delete | Area Code Telephone Number | Name / Relationship | Street Address City / State / Zip Code / Country | STAFF USE: Date Notice Letter Sent |
|---|---|---|---|---|---|
| 1. | A | 618-271-9741 | Friend Tony Johnson | 4910 Horn East St Louis IL | 3-12-9 |
| 2. | A | 314-869-1513 | Kathy Cady Friend | 8700 Redbud St Louis Co. 63138 | |
| 3. | A | 314-869-5761 | Rosemary Green Friend | 8637 Milan St Louis MO 63130 | |
| 4. | A | 314-521-1741 | Gerald Boyd Friend | 1910 Fegins St Louis MO 63136 | |
| 5. | | | | | |
| 6. | A | 314 385-7452 | Paul Williams Friend | #652 Nat. Bridge St Louis MO 63115 | |
| 7. | A | 314-389-0385 | Melissa Brown Friend | 1382 Cole St Louis MO 63106 | |
| 8. | A | 314 534-3530 | David Hall Friend | 5631 Palm St Louis MO 63112 | |
| 9. | | | | | |
| 10. | | | | | |

214

Use additional sheet(s) for more than 10 requests at this time.

Please complete for use by Trust Fund Staff: ☐ Non-English Speaking

Reviewed by Unit Staff Member (Printed Name & Signature)
Hector R. Fernandez, Counselor HS-B

Date

To Be Completed by Trust Fund Upon Input Into System (Initial)

Date 3-12-97

Record (Signature) Copy - Central File, Copy - Trust Fund Supervisor, Copy - Inmate

PAGE ___ OF ___ PAGES

Replaces BP S05(52) of APR 94

***FILL COMPLETELY BEFORE SUBMITTING***

***INCOMPLETE FORMS WILL NOT BE PROCESSED BY ITS***

TELEPHONE NUMBER REQUE - INMATE

DEC 95

U.S. DEPARTMENT OF JUSTICE — FEDERAL BUREAU OF PRISONS

I am requesting that the following names and telephone numbers be placed on my telephone list. I state that to the best of my knowledge the persons on this list are agreeable to receiving my calls and that telephone calls to those persons will be made for purposes allowable under Bureau policy and institution guidelines. I understand that submitting more than 30 numbers requires the approval of the Associate Warden.

| Register No. | Inmate Name (Print) | Unit |
|---|---|---|
| 18498-044 | Willie Boyd | H3-B |

| Inmate Signature | Date |
|---|---|
| Willie Boyd | 3-24-97 |

You will be notified by a member of your unit staff if a telephone number is not placed on your telephone list.

| | A=Add D=Delete | Area Code Telephone Number | Name / Relationship | Street Address City / State / Zip Code / Country | STAFF USE: Date Notice Letter Sent |
|---|---|---|---|---|---|
| 1. | A | 314-664-4305 | Samanth Parker Friend | 8810 Utah St Louis MO 63106 | 3/24/97 |
| 2. | A | 314-863-0650 | Rachel Macklin Sister | 7710 Milam St Louis MO 63130 | N/A |
| 3. | A | 314 361-5939 | Tom Hudson Friend | 4652 Page St. Louis, MO. 63112 | 3 24 97 |
| 4. | A | (314)869-6902 | Shonda Brown | 1310 Belt | ~ |
| 5. | A | | Friend | St. Louis 6310 | 5/28/97 |
| 6. | | | | | |
| 7. | | | | | |
| 8. | | | | 215 | |
| 9. | | | | | |
| 10. | | | | | |

Use additional sheet(s) for more than 10 requests at this time.

Please complete for use by Trust Fund Staff: ☐ Non-English Speaking

Reviewed by Unit Staff Member (Printed Name & Signature) Hector R. Fernandez, Counselor H-3-B — Date

To Be Completed by Trust Fund Upon Input Into System (Initial) — Date 3/24/97

Record (Signature) Copy - Central File, Copy - Trust Fund Supervisor, Copy - Inmate

PAGE ___ OF ___ PAGES

Replaces BP-S05(52) of AUG 92.

***FILL COMPLETELY BEFORE SUBMITTING***

***INCOMPLETE FORMS WILL NOT BE PROCESSED BY ITS***

# TELEPHONE NUMBER REQUEST - INMATE

U.S. Department of Justice — Federal Bureau of Prisons

I am requesting that the following names and telephone numbers, be placed on my telephone list. I state that to the best of my knowledge, the persons on this list are agreeable to receiving my call and that telephone calls to those persons will be made for purposes allowable under Bureau policy and institution guidelines. I understand that submitting more than 30 numbers requires the approval of the Associate Warden.

| Register No | Inmate Name (Print) | Unit |
|---|---|---|
| 18498-044 | Boyd | H-3 |

| Inmate Signature | Date |
|---|---|
| Willie Boyd | 3-18-97 |

You will be notified by a member of your unit staff if a telephone number is not placed on your telephone list.

| A = Add<br>D = Delete | Area Code<br>Telephone Number | Name / Relationship | Street Address<br>City / State / Zip Code / Country | STAFF USE<br>Date Notice<br>Letter Sent |
|---|---|---|---|---|
| 2. A | 314-389-7452 | Jennifer Willis<br>Friend | 4031 Fair<br>St Louis MO 63115 | 3/24 |
| 3 A | 314-772-3890 | Terry Jones<br>Friend | 4210 Shaw<br>St Louis MO 63110 | |
| 4. A | 314-535-3011 | Lois Ann Roberts<br>1406 Belt | 101 Friedl Ave<br>St Louis MO 63113 | |
| 5. A | 314-771-1820 | Cathy McGrary<br>Friend | 2102 Jenny Dr<br>St Louis MO 63158 | |
| 6. A | (314) 421-3246 | D. Al Brown<br>Friend | 1206 Palm<br>St. Louis MO 63106 | 4/17/97 |
| 7. A | (314) 383-1812 | SAM STEAD<br>Friend | 3611 King Dr<br>St. Louis MO 63136 | 4/17/97 |
| 8. A | (314) 421-4357 | Paul Brown<br>Friend | 1320 Grand<br>St. Louis | OK |
| 9. D | (314) 421-3246 | " | " 216 | OK |
| 10. A | (314) 772-7029 | DABON GUYN<br>Friend | 1310 19th Street<br>St. Louis MO 63102 | 6/11/97 |

Use additional sheet(s) for more than 10 requests at this time

Please complete for use by Trust Fund Staff — Non-English Speaking

Reviewed by Unit Staff Member (Printed Name and Signature)
K CHAMBERS Counselor

Date
3 24 97

Record (Signature) Copy - Central File — Copy Trust Fund Supervisor — Copy - Inmate

P.S. 1380.05
August 1, 1995
Attachment I, Page 1

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS

Receipt for Property Received/Returned/Released/Seized

On (date) 11/30/98 Item(s) listed below were:

____ Received From
____ Returned To
__X__ Released To
____ Seized

(Name) GARY GACKINER

(Street Address) 1114 Market St.

(City) St. Louis, Mo. 63101

Description of Item(s):

217

Received by: _____ (Signature) Received From: _____ (Signature)

CHAIN OF CUSTODY LOG
(Enclose with/attach to evidence)

CASE ID NUMBER: 7089 SUSPECT (If known) Boyd, # 18498-044

DESCRIPTION OF ITEM: 4 Photo's

DATE/TIME ITEM FOUND: 1/20/98 / 0948

LOCATION: H-3A

SIGNATURE OF PERSON RECOVERING EVIDENCE:

PRINTED NAME: Gallos

EVIDENCE PLACED IN EVIDENCE LOCKER BY: N/A

DATE/TIME PLACED IN EVIDENCE LOCKER: 1/20/98 / 1000

DISPOSITION:

/ / Hold as evidence / / Return to owner / / Lab Analysis
/ / Return to finder / / Destroy immediately / / FBI
/X/ Other

Photo's Handed To A.U.S.A. Gary Greenlee

CHAIN OF CUSTODY

| Evidence Released To | Date/Time | Destination | Released By |
|---|---|---|---|
| M. | 1/30/98 0950 | A.U.S.A. | X |
| | | | |
| | | | |
| | | | |
| | | | |
| | | 218 | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

VISITING HISTORY FOR INMATE NAME: BOYD, WILLIE
REGISTER NUMBER: 10498-044
DATE: 03/01/97 - 08/04/97

| VISIT DATE | NAME | RELATION | PTS |
|---|---|---|---|
| 03/14/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 03/16/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 2 |
| 03/20/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 03/23/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 2 |
| 03/27/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 03/30/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 03/30/97 | MCCRAY, COURTNEY | FRIEND | 1 |
| 04/03/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 04/06/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 04/10/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 04/13/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 04/17/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 04/19/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 04/20/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 04/20/97 | BOYD, JACQUELINE | CHILD, DAUGHTER ADULT | 0 |
| 04/20/97 | MCCRAY, COURTNEY | FRIEND | 1 |
| 05/04/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 05/08/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 05/09/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 05/11/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 05/11/97 | WYNN DEARMON, MARY | MOTHER | 0 |
| 05/15/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 05/18/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 05/22/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 05/25/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 05/29/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 06/01/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 06/01/97 | MCCRAY, COURTNEY | FRIEND | 0 |
| 06/05/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 06/06/97 | MATEEN, MUHAMMAD | CHILD, SON ADULT | 0 |
| 06/06/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 06/08/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 06/13/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 06/15/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 06/15/97 | MATEEN, MUHAMMAD | CHILD, SON ADULT | 0 |
| 06/19/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 06/22/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |

219

DATE : 08/06/97 FCI GREENVILLE PAGE : 1

VISITING HISTORY FOR INMATE NAME : LOYD, WILLIE
REGISTER NUMBER : 16499-044
DATES : 03/01/97 - 08/04/97

| VISIT DATE | NAME | RELATION | PTS |
|---|---|---|---|
| 06/26/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 4 |
| 07/03/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 7 |
| 07/06/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 6 |
| 07/10/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 07/11/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 0 |
| 07/13/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 5 |
| 07/17/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 2 |
| 07/18/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 07/20/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 5 |
| 07/24/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 0 |
| 07/25/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 1 |
| 07/27/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 3 |
| 07/31/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 7 |
| 08/01/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 0 |
| 08/03/97 | TROUPE, SHARRON | SIGNIFICANT OTHER | 6 |

220

70

GRECL 531.01 * INMATE HISTORY * 01-19-1998
PAGE 001 OF 001 * QUARTERS * 08:11:09

REG NO..: 18498-044 NAME....: BOYD, WILLIE EDWARD
CATEGORY: QTR FUNCTION: DIS FORMAT:

| FCL | ASSIGNMENT | DESCRIPTION | START DATE/TIME | STOP DATE/TIME |
|---|---|---|---|---|
| GRE | H3 1109S | UNIT H-3/SIDE A/SINGLE | 07-16-1997 0958 | 08-18-1997 082 |
| GRE | H3 1109U | UNIT H-3/SIDE A/UPPER | 03-04-1997 1512 | 07-16-1997 095 |
| GRE | H3-A | UNIT H3, A-SIDE | 03-03-1997 1155 | 03-04-1997 151 |
| ASH | D | D CELLHOUSE | 08-27-1993 1415 | 04-29-1994 033 |
| ATL | R/D | R/D OUT COUNT | 08-27-1993 0039 | 08-27-1993 045 |
| ATL | AWB 204 | AWB CELL 204 | 07-26-1993 2017 | 08-27-1993 003 |
| ATL | R/D | R/D OUT COUNT | 07-26-1993 1329 | 07-26-1993 201 |
| ERE | HLD3 | HOLDOVER UNIT 3 | 07-24-1993 0923 | 07-26-1993 060 |
| ERE | HLD1 | HOLDOVER 1 | 07-14-1993 1430 | 07-24-1993 092 |
| LVN | A-439 | ACH - CELL 439 | 11-30-1987 1000 | 02-20-1988 074 |
| LVN | D-206 | CELLHOUSE D - CELL 206 | 09-30-1983 1100 | 11-30-1987 100 |
| LVN | ADM DET | ADMINISTRATIVE DETENTION | 09-23-1983 1528 | 09-30-1983 110 |
| LVN | D-206 | CELLHOUSE D - CELL 206 | 12-07-1982 1711 | 09-23-1983 152 |

G0005 TRANSACTION SUCCESSFULLY COMPLETED - CONTINUE PROCESSING IF DESIRED

221

U.S. Department of Justice

# Certification of Identity

Privacy Act Statement. In accordance with 28 CFR Section 16.41(d) personal data sufficient to identify the individuals submitting requests by mail under the Privacy Act of 1974, 5 U.S.C. Section 552a, is required. The purpose of this solicitation is to ensure that the records of individuals who are the subject of U.S. Department of Justice systems of records are not wrongfully disclosed by the Department. Failure to furnish this information will result in no action being taken on the request. False information on this form may subject the requester to criminal penalties under 18 U.S.C. Section 1001 and/or 5 U.S.C. Section 522a(i)(3).

Public reporting burden for this collection of information is estimated to average 0.50 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Suggestions for reducing this burden may be submitted to Director, Facilities and Administrative Services Staff, Justice Management Division, U.S. Department of Justice, Washington, DC 20530 and the Office of Information and Regulatory Affairs, Office of Management and Budget, Public Use Reports Project (1103-0016), Washington, DC 20503.

Full Name of Requester [1] Bryant Trupe

Current Address _____

Date of Birth _____

Place of Birth _____

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I am the person named above, and I understand that any falsification of this statement is punishable under the provisions of 18 U.S.C. Section 1001 by a fine of not more than $10,000 or by imprisonment of not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 U.S.C. 552a(i)(3) by a fine of not more than $5,000.

Signature [3] _____ Date _____

## Optional: Authorization to Release Information to Another Person

222

This form is also to be completed by a requester who is authorizing information relating to himself or herself to be released to another person.

Further, pursuant to 5 U.S.C. § 552a(b), I authorize the U.S. Department of Justice to release any and all information relating to me to

_____
(Print or Type Name)

[1] Name of individual who is the subject of the record sought.

[2] Providing your social security number is voluntary. You are asked to provide your social security number only to facilitate the identification of records relating to you. Without your social security number, the Department may be unable to locate any or all records pertaining to you.

[3] Signature of individual who is the subject of the record sought.

# EXHIBIT-B

223

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

August 10, 1999

RE: FOIA, Appeal
99-2217

Dear Sir/Madam:

Pursuant to Freedom of Information Act 5 U.S.C. § 552, and the accompanying implementing regulations, I hereby appeal the letter Aug. 4, 1999. I received from Suzanne Little of the Executive Office for United States Attorneys, denying my request of July 27, 1999, for records and documents regarding FBI/DEA informant Bryant Troupe.

224

the grounds that they pertain to a third party who has not submitted a notarized authorization for release of information. I confirm herewith that Mr. Troupe, is not dead and has not submitted a notarized form. Ibelieve, however, that the requested records do not fall within the stated exemptions because both Mr. Troupe and Law Enforcement Agencies has repeatedly waived any privacy rights or exemptions in federal court.

In addition, much of what I have requested is based upon public records.

Through my own investigation, I have discovered the following clear waivers as to each specific request contained in my July 12, 1999 letter:

1. Criminal History-the undering requested materials are public records.

Each arrest of Troupe, has a corresponding public record police report, court docket sheet or like document. In addition, both Troupe and Federal Law Enforcement Agencies have waived any privacy rights by furnishing defense counsel in the case of U.S. v. Miller and Kerr 4:96-cr365. As sopport for the position that a waiver has occurred, I attach Exhibit-A.

2. Testimony in Open Court-again, the underlying records requested are public records. The request seeks only a list of where and when ( case names and numbers ) Troupe has testified in open court. Here I identifv where Troupe has atlease testified once in United States v. Miller and Kerr, Feb. 1997. I seek a complete and up-to-date list of the cases where he has testified.

3. Informant paymant record-pursuant to DEA § 6612.24 (E) (1), the drug Enforcement Administration must keep accurate and detaled records regarding payments to informants. Once again, both Troupe and Law Enforcement have repeatedly waived any privacy concerns involving Troupe. In Exhibit-A, the government admits to a list of payments. 225

I believe this information is also part of the general oversight of Federal Law Enforcement, that Bryant Troupe admitted to government agents that he sold drugs for profit while in the employment of federal agents. That he has used and sold drugs in the past. That Bryant Troupe, has paid no income taxes on

his drug profits. see: Exhibit-A

With this knowledge of Bryant Troupe's criminal activity, this is a serious and troubling course of action by Federal Law Enforcement that should be closely scrutinized by the public.

4. Assistance to Troupe-by Federal and Stae Law Enforcement agencies, which has intervened to help Troupe, atlease once and perhaps more, with criminal and/or tax problems. Certainly as to the first incident, all privacy rights were waived by Troupe and those Law Enforcement Agencies years ago.

Troupe, have given government officials information concerning his criminal activity, being a middleman or broker for Byron Miller. " He received money for these services from Miller or others involved in the sales. This activity was not part of his supervised law enforcement cooperation." see: Exhibit-A

In addition, Troupe, revealed to government officials and has testified in open court, that he paid no income taxes for many years of payment of money earned through illegal drug dealing or the proceeds from his informant work. It apears that both these instances are admissions of serious felony crimes committed by Troupe, but ignored by the authorities. The clear conclusion is that law enforcement agencies have both waived any privacy rights.

226

It is anticipated that the records involved in this request will shed light on the controversial use of paid informants and contingent fee arrangements by the Drug Enforcement Agency/Federal Bureau of Investigation, which isclearly in the public

interest. Except as indicated above, these records are not presently in the public domain.

The release of these records is also an approriate exercise of the agency's discretion under Freedom of Information Act 5 U.S.C. § 552.

Furthermore, I request disclosure of all reasonably segreable non-exemt protions of the records and an accompanying index and justification for any deletions with reference to specific FOIA exemptions. See 5 U,S,C. § 552 (b) Th is request for partial disclosure is without prejudice to my right to judicial review of any agency decision to withhold records or delete information.

tinous to be withheld. I request an index some or all the requested information accopanied by justification with reference to specific FOIA exemptions. I look forward to receiving your reply within 20 business days, as required by law.

Sincerely,

Mr. Willie E. Boyd

227

Mr. Willie E. BOYD
# 18498-044
P.O. Box 5000, 3-A
Greenville, Il. 62246

# EXHIBIT-C

228

U.S. Department of Justice

Executive Office for United States Attorneys
Freedom of Information/Privacy Act Unit
600 E Street, N.W., Room 7100
Washington, D.C. 20530
202-616-6757 Fax 202-616-6478

AUG 4 1999

Request Number: 99-2217 Date of Receipt: July 27, 1999

Requester: Willie E. Boyd

Subject of Request: Bryant Troupe

Dear Requester:

The Executive Office for United States Attorneys has received your Freedom of Information Act request and assigned the above number to the request.

You have requested records concerning a third party (or third parties). Records pertaining to a third party generally cannot be released absent express authorization and consent of the third party, proof that the subject of your request is

significant public benefit would result from the disclosure of the requested records. Since you have not furnished a release, death certificate, or public justification for release, the release of records concerning a third party would result in an unwarranted invasion of personal privacy and would be in violation of the Privacy Act, 5 U.S.C. Section 552a. These records are also generally exempt from disclosure pursuant to sections (b)(6) and (b)(7)(C) of the Freedom of Information Act, 5 U.S.C. Section 552.

We have not performed a search for records and you must not assume that records concerning the third party exist. We will release, if requested, any public records maintained in our files, such as court records and news clippings, without the express authorization of the third party, a death certificate, or public justification for release. If you desire to obtain public records, if public records exist in our files, please submit a new request for public documents.

229

Form No. 006 - 8/99

Ms. Bonnie L. Gay
Senior Counsel
Executive of Information/
Privacy Act
600 E. Street N.W. Room 7100
Washington, D.C. 20530

August 12, 1999

RE: Resubmitting FOIA,
request for Informant
Bryant Troupe: 99-616-S

Dear Ms. Gay:

I had typed an Appeal letter to the United States Department of Justice concerning the requested information on Bryant Troupe. Enclosed is that Appeal letter to give you an opportunity to respond to this detailed request. Which I feel a public interest and are public records maintained in your files court records, and new paper clippings.

I look forward to hear from your office within the the time thats mandated by law.

Sincerely,

-/s/

Mr. Willie E. Boyd
# 18498-044
P.O. Box 5000, 3-A
Greenville, Il.
62246

230

cc; files

Enclosed: copy letter
FOIA. Appeal 99-2217

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

August 10, 1999

RE: FOIA, Appeal
99-2217

Dear Sir/Madam:

Pursuant to Freedom of Information Act 5 U.S.C. § 552, and the accompanying implementing regulations, I hereby appeal the letter Aug. 4, 1999. I received from Suzanne Little of the Executive Office for United States Attorneys, denying my request of July 27, 1999, for records and documents regarding FBI/DEA informant Russell Troupe.

The requested records were withheld in their entirety on the grounds that they pertain to a third party who has not submitted a notarized authorization for release of information. I confirm herewith that Mr. Troupe, is not dead and has not submitted a notarized form. Ibelieve, however, that the requested records do not fall within the stated exemptions because both Mr. Troupe and Law Enforcement Agencies has repeatedly waived any privacy rights or exemptions in federal court.

In addition, much of what I have requested is based upon public records. (231)

Through my own investigation, I have discovered the following clear waivers as to each specific request contained in my July 12, 1999 letter:

1. **Criminal History**-the undering requested materials are public records.

Each arrest of Troupe, has a corresponding public record police report, court docket sheet or like document. In addition, both Troupe and Federal Law Enforcement Agencies have waived any privacy rights by furnishing defense counsel in the case of U.S. v. Miller and Kerr 4:96-cr365. As sopport for the position that a waiver has occurred, I attach Exhibit-A.

2. **Testimony in Open Court**-again, the underlying records requested are public records. The request seeks only a list of where and when ( case names and numbers ) Troupe has testi-

testified once in United States v. Miller and Kerr, Feb. 1997. I seek a complete and up-to-date list of the cases where he has testified.

3. **Informant paymant record**-pursuant to DEA § 6612.24 (E) (1), the drug Enforcement Administration must keep accurate and detaled records regarding payments to informants. Once again, both Troupe and Law Enforcement have repeatedly waived any privacy concerns involving Troupe. In Exhibit-A, the government admits to a list of payments. 232

I believe this information is also part of the general oversight of Federal Law Enforcement, that Bryant Troupe admitted to government agents that he sold drugs for profit while in the employment of federal agents. That he has used and sold drugs in the past. That Bryant Troupe, has paid no income taxes on

his drug profits. see: Exhibit-A

With this knowledge of Bryant Troupe's criminal activity, this is a serious and troubling course of action by Federal Law Enforcement that should be closely scrutinized by the public.

4. Assistance to Troupe-by Federal and Stae Law Enforcement agencies, which has intervened to help Troupe, atlease once and perhaps more, with criminal and/or tax problems. Certainly as to the first incident, all privacy rights were waived by Troupe and those Law Enforcement Agencies years ago.

Troupe, have given government officials information concerning his criminal activity, being a middleman or broker for Byron

othersinvolved in the sales. This activity was not part of his supervised law enforcement cooperation." see: Exhibit-A

In addition, Troupe, revealed to government officials and has testified in open court, that he paid no income taxes for many years of payment of money earned through illegal drug dealing or the proceeds from his informant work. It apears that both these instances are admissions of serious felony crimes committed by Troupe, but ignored by the authorities. The clear conclusion is that law enforcement agencies have both waived any privacy rights.

233

It is anticipated that the records involved in this request will shed light on the controversial use of paid informants and contingent fee arrangements by the Drug Enforcement Agency/Federal Bureau of Investigation, which isclearly in the public

interest. Except as indicated above, these records are not presently in the public domain.

The release of these records is also an approriate exercise of the agency's discretion under Freedom of Information Act 5 U.S.C. § 552.

Furthermore, I request disclosure of all reasonably segreable non-exemt protions of the records and an accompanying index and justification for any deletions with reference to specific FOIA exemptions. See 5 U,S,C. § 552 (b) Th is request for partial disclosure is without prejudice to my right to judicial review of any agency decision to withhold records or

In the event some or all of the requested information ccntinous to be withheld. I request an index some or all the requested information accopanied by justification with reference to specific FOIA exemptions. I look forward to receiving your reply within 20 business days, as required by law.

Sincerely,

Mr. Willie E. Boyd

234

Mr. Willie E. BOYD
# 18498-044
P.O. Box 5000, 3-A
Greenville, Il. 62246

Ms. Bonnie L. Gay
Senior Counsel
Executive of Information/
Privacy Act Unit
600 E. Street N.W. Room 7100
Washington, D.C. 20530

July 22, 1999
RE: 99-616-S

Dear Ms. Gay:

This is in response to your last letter that: A review of the material revealed documents which: [X] are public records which may be obtained from the clerk of the court or this office, upon specific request, subject to a copy fee.

thats in your files pertaining to my case 4:97CR301SNL.

Plus I would like you to address my detailed request for the information of the government informant Bryant Troupe, any and all information of his work with law enforcement and his direct involvement in the instant case.

I grant you will respond with expedience!

Sincerely,

Mr. Willie L. Boyd

235

Mr. Willie L. Boyd
# 18498-044
P.O. Box 5000, 3-A
Greenville, Il. 62246

# EXHIBIT-D

236

Ms. Bonnie L. Gay
Senior Counsel
Executive of Information/.
Privacy Act
600 E. Street N.W. Room 7100
Washington, DC. 20530

August 12, 1999

RE: **Request in detial for Jencks material 99-616-S**

Dear Ms. Gay:

I received a letter from Ms. Suzanne Little, denying my request for information concerning Bryant Troupe, but there was no mention of my request for Jencks and/or Brady materials in the files of U.S. v. Boyd, 4:97CR301SNL.

I feel the Government Waived its right to withhold these documents for the following reasons:

1. On August 19, 1997 AUSA Gary Gaertner, made these statements in a letter to Federal Public Defender, Ms. Ilene Goodman, at line 4, " **JENCKS MATERIAL**-The Government will agree to make all Jencks material available no later than the Friday preceding trial, conditioned upon the defendant's agreement to make available states of defendants witnesses at the same time." See: Exhibit-A

Also at line 6, " **GRAND JURY TRANSCRIPTS**-The Government would agree to produce all Grand Jury Transcripts to the extent they constitute JENCKS material and make them available for inspection." See: Exhibit-A

237

2. On November 10, 1997, AUSA Gary Gaertner, stated in a letter to Co-Counsel Frank Fabri, which he hand delivered:

" I plan on turning over my Jencks material to you at 4:00p.m.

on Friday, November 28, 1997, contingent on you turning over your Jencks material at that time. I will have all my Jencks material at the front desk of our office at 4:00 p.m. on the 28th. See: Exhibit-B, on page 2

On the first day of trial in this case April 13, 1998, Defendants Attorney Carl Epstein, requested a " continuance or an extented adjornment," and AUSA Gary Gaertner, objected to the continuance based on, " I've received synopsis of interviews that were done I don't believe that theres any further witnesses that Mr. Epstein, will come forth with at this time with regard to the incident in guestion and Mr. Epstein, from what -- Jencks material indicates that we -- there will be other witnesses concerning the November 6th, 1995 event over at the Cole's Motel. See: Exhibit-C on page 2 of Trial Transcripts

You can plainly see from the trial transcripts that Mr. Carl Epstein, fullfilled his part of the agreement when he turned over his Jencks material.

Mr. Gary Gaertner, made the statement in Open Court, that he had received, " synopsis of interviews, as well as Jencks material, from Defendants Attorney Carl Epstein.

They waived their right to withhold Jencks material, when they agreed to turning over the Jencks material, if the Defendant turned his Jencks material over, the Governments position is clear and the agreement was met.

238

When AUSA Gary Gaertner, used the Grand Jury Transcripts to try to impeach Sharron Troupe's testimony, at trial, See: Exhibit-D, of trial transcript, that Grand Jury Jencks material should

have been considered public domain,

For the reasons stated above the JENCKS and/or Brady material should be released to me.

Sincerely,

Willie E. Boyd
# 18498-044
P.O. Box 5000, 3-A
Greenville, Il.
62246

cc: files

Enclosed is a copy of
first request letter.

239

U.S. Department of Justice
*United States Attorney*
*Eastern District of Missouri*

*US Courts and Custom House*
*1114 Market Street*
*St. Louis, Missouri 63101*

*314-539-2200*
*FAX/314-539-2309*

August 19, 1997

RECEIVED
AUG 20 1997
FEDERAL PUBLIC DEFENDER

HAND-DELIVERED
Ms. Ilene Goodman
Attorney at Law
1010 Market Street
St. Louis, Missouri 63101

Re: United States v. WILLIE E. BOYD; AKA "MICHAEL FRANCIS

Dear Ilene:

As you are aware, your client was indicted by the Federal Grand Jury on August 7, 1997. In order to assist you in the determination of any relevant pre-trial motions to be filed in this case, please be aware of the following information:

1. DISCOVERY - The Government would agree to provide you with all relevant material within the purview of Rule 16, Federal Rules of Criminal Procedure.

2. ELECTRONIC SURVEILLANCE - The Government did not utilize any electronic surveillance in the investigation underlying the charges set forth in the indictment.

3. CONFIDENTIAL INFORMANTS - The Government did utilize a confidential information in the investigation underlying the charge set forth in the indictment in that the CI informed the law enforcement officials that the defendant was a Victory Way Lane.

4. JENCKS MATERIAL - The Government will agree to make all JENCKS material available no later than the Friday preceding trial, conditioned upon the defendant's agreement to make available statements of defendant's witnesses at the same time.

EXHIBIT-A

5. BILL OF PARTICULARS - The Government would agree to provide additional factual information which underlies the offenses charged in the indictment to the extent such information is appropriate for a Bill of Particulars.

6. GRAND JURY TRANSCRIPTS - The Government would agree to produce all Grand Jury transcripts to the extent they constitute JENCKS material and make them available for inspection.

7. OTHER CRIMES EVIDENCE - The Government would agree to advise the defendant of its intention to use evidence of other crimes during its case-in-chief. At the present time, the Government does intend to use such evidence concerning Mr. Boyd's conviction for possession of a machine gun, and possession of cocaine and heroine with the intent to distribute as found in Mr. Boyd's federal conviction in Docket Number S1-81-197CR(4).

8. STATEMENTS OF DEFENDANT - The defendant made no written, but made oral statements as indicated in the enclosed report.

9. IDENTIFICATION OF DEFENDANT - The Government is unaware of post-arrest identifications of the defendant.

10. PHYSICAL EVIDENCE - The Government does possess and intends to use items of physical evidence which were seized at the time of the arrest of the defendant. These items are available for

11. FAVORABLE EVIDENCE - The Government would agree to furnish any and all favorable evidence if and when its existence becomes known to the Government. At the present time, the Government is aware that Mr. Boyd's son Muhammed Mateena and his girlfriend Sharon Troupe indicated that the narcotics and weapon found in Ms. Sharon Troupe home on 2-1-97 at 2091 Victory Way Lane are not Mr. Boyd's, but are Mr. Brian Troupe's narcotics and weapon which he left at his sister's residence.e.

If you need any further specific information regarding the above matters, or if there are any other matters which will prevent the filing and litigation of any unnecessary pretrial motions, please do not hesitate to call me. Also, please find enclosed a copy of the ATF Blueback case report, report of property seized by the Marshals, the firearm trace and copies of several items seized by the Marshals.

241

In order to avoid the filing of motions pursuant to Rules 12.1(a), 16 and 26 of the Federal Rules of Criminal Procedure, I would request:

A. a written notice of the defendant's intention to offer a defense of alibi, stating the specific place or places at which the defendant claims to have been at the time of the alleged offense and the names and addresses of the witnesses upon whom the

defendant intends to rely to establish such alibi;

B. copies of or the right to inspect any books, papers, documents, photographs, tangible objects, or copies or portions thereof, which are within the possession, custody, or control of the defendant and which the defendant intends to introduce as evidence in chief at trial;

C. copies of any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with the particular case, or copies thereof, within the possession or control of the defendant, which the defendant intends to introduce as evidence in chief at trial or which were prepared by witnesses whom the defendant intends to call at trial when the results or reports relate to their testimony;

D. a written summary of testimony the defendant intends to use under Rule 702, 702, and 705 as evidence at trial, including the opinions of such witnesses, the bases therefor, and witness qualifications;

E. all statements of any defense witness that is in their possession and that relates to the subject matter to which the witness will testify. I would request that I receive the information regarding alibi in section A no later than the suppression hearing. I would also request that you provide me with the information regarding section E no later than noon on the [redacted].

I would appreciate a written response prior to any suppression hearing to determine whether I will have to file formal requests for a court order to enforce such discovery compliance.

Very truly yours,

EDWARD L. DOWD, JR.
United States Attorney

By: GARY M. GAERTNER, JR.
Assistant United States Attorney

Enclosures

cc: Honorable [redacted] Davis
United States Magistrate Judge

242

U.S. Department of Justice

*United States Attorney*
*Eastern District of Missouri*

*Gary M. Gaertner, Jr.*
*Assistant United States Attorney*

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

*Direct Line (314)-539-685*
*Office (314) 539-220*
*Fax (314)-539-230*

November 10, 1997

HAND-DELIVERED

Mr. Frank Fabri
Attorney At Law
4235 Lindell
St. Louis, Missouri 63108

RE: U.S. v. Boyd; 4:97CR301 SNL

Dear Frank:

Please find enclosed:

1. Copy of the tape of a May 13, 1997 conversation between Willie Boyd and Sharon Troupe/Muhammed Mateen;

2. Grand Jury transcripts of Sharon Troupe/Muhammad Mateen on May 14, 1997 and Sharon Troupe on June 11, 1997;

3. Ameritech Cellular Phone records for Billy Jackson;

4. Certified Department of Revenue Records for Billy Jackson, Michael Francis Young, and Willie E. Boyd;

5. Certified Social Security Records for Willie Boyd, Billy M. Jackson, and Judith Lee Gayler;

6. Warrant for Boyd's arrest;

7. Officer Schulze's fingerprint report; 243

8. Department of Revenue Records regarding Willie Boyd; and

9. The drug information on Mr. Boyd.

I will also send you a copy of the ATF tracing report regarding Mr. Boyd's Glock pistol. I will also supply you with a certified copy of the Mr. Billy Jackson's death certificate. At

EXHIBIT-B

this time I am unaware of any further Rule 16 evidence that I am going to present at trial. In the event that I do come across further evidence, I will immediately inform you of this information.

From our conversation on Sunday, November 9, 1997, you do not have any Rule 16 evidence for me. In the event that you do plan on presenting any physical evidence in your case in chief, I will want a copy of it and I want to inspect any such evidence physically the week prior to trial. I also have the physical evidence in this case in the event that you want to examine it.

I plan on turning over my Jencks material to you at 4 p.m. on Friday, November 28, 1997, contingent on you turning over your Jencks material at that time. I will have all my Jencks material at the front desk of our office at 4 p.m. on the 28th.

I am also going to present the expert testimony of Frank Stubits, Jr. who will testify in summary regarding the interstate commerce connection of the Glock firearm which Mr. Boyd possessed, the operability of the firearm, and the fingerprinting of firearms. Mr. Stubits resume is included herein. I will further present the testimony of P.O. Thomas A. Schulze who is presently assigned to the Latent Print Processing department for the St. Louis City Police Department. He was previously assigned with the Evidence Technician Unit with the St. Louis City Police Department. He will

were no fingerprints lifted that were of any value. In the event that you want a further description of Officer Schulze's background, please contact me and I will provide you such information. I am also going to present the testimony of an Agent from the DEA who will testify that the cocaine and other items seized from Mr. Boyd are indicative of the distribution of cocaine. I will provide you with the resume of that agent when I have determined who will be available to testify.

I will start preparation for trial on Thursday, November 13, 1997. In the event that your client is willing to pled guilty, I must be informed by this date so that Mr. Boyd can be eligible for his third point of acceptance of responsibility.

If you have any questions, please do not hesitate to contact me.

244

Respectfully,

EDWARD L. DOWD, JR.
United States Attorney

AUSA GARY M. GAERTNER, JR.

considered and ruled on by the Court, I find that it is appropriate to allow them to exercise their Fifth Amendment privileges and that they sustained their burden in this refusal.

All right. Having made this decision, then I will excuse those two witnesses.

Now I'll hear further --

MR. EPSTEIN: Yes, Your Honor.

THE COURT: -- concerns that you wanted to make.

MR. EPSTEIN: In light of the developments concerning respective defense witnesses Larry

24

witnesses for the defense with respect to the alleged incident of November 6, 1995 at Cole's Motel, the defense would seek a continuance or an extended adjournment of the trial proceeding to try to reconstruct something with respect to that count.

Mr. Boyd indicates there may be at least one or two other witnesses out there who have not been made available to me previously. I would like the opportunity on his behalf of the exercise of due diligence to have some time to go out and try to make inquiry with those witnesses.

MR. GAERTNER: Your Honor, I would object

appointed for Mr. Hassell and Mr. Davis and that it was obvious that the attorneys appointed could suggest to them for their own protection that they exercised Fifth Amendment rights. In fact, the defendant and counsel was well aware of that and had sufficient time over the weekend or during last week and, for that matter, long before now to have searched for other possible witnesses to assist the defendant in his case in this matter.

I think he's had adequate time to prepare his defense and he's been quite aware of the possibilities that Mr. Hassell, Miss Davis, might [illegible] their personal Fifth Amendment rights, and since there has been obvious time to do that and since it is in the best interest of justice that this case which is reasonably old be brought to trial and since in my judgment it would not jeopardize the defendant's rights to continue with the trial of this case, nor will it unduly prejudice him to do so, that it is appropriate that we continue, so the request for continuance of the proceeding to have further investigation of this matter to properly prepare a defense in this matter will be denied.

246

MR. EPSTEIN: Thank you, Your Honor.

A. Yes.
Q. They threatened you.
Now you came down here and testified in front of the grand jury, didn't you?
A. Yes.
Q. And that was on May 14; isn't that correct?
A. Yes.
Q. And didn't I ask you, "Were they professional?"
A. Yes.
Q. And do you remember what your answer was?
A. Yes.

A. Yes.
Q. And I said, I asked you, "And they didn't threaten you?"
Do you remember what your answer was? "No, no, they were very nice."
Is that correct? I can show you your testimony. Would you want to see that?
247
A. No, I remember.
Q. So what you're saying here today is that you're accusing the marshals of planting evidence in the bag, forcing you to sign that consent to search.
When you first came and testified, you stated that they were very professional and that they were

very nice.,

Do you think it's professional for law enforcement officials to put items in a bag that weren't in there?

A. It's possible.

Q. And threaten you to force to you sign the consent to search; is that --

MR. EPSTEIN: I'll interpose an objection.

THE COURT: It will be sustained.

Calls for a conclusion.

Q. Were they professional?

A. Yeah. at some time. but by being acting professional and things saying is two different things. I mean it's not like they were beating me, but the questions they was asking as if threatening as if I don't give them the answer they want to hear, then, you know, they gonna charge me.

Q. That doesn't sound very professional, does it?

A. What do you mean?

248

Q. Now --

MR. EPSTEIN: I'll interpose an objection. Argumentative, calls for a conclusion, Your Honor.

THE COURT: Well, there's no prejudice done. She is asking what he meant by the question and we haven't gone any further, so let's go to

another series of questions.
Q. When you testified on May 14th, do you recall I asked you about the various marshals?
A. Yes.
Q. And do you recall that the only one that you remember, "There were four of them? Yeah. The only name I remember was Adler."
Correct? Let me show -- I'll show you your testimony.
A. No, I remember.
Q. So you only remember the name Adler, correct, correct?
A. I remember their names but I didn't --
Q. But --
A. -- Adler was the main one that was talking, he was the one in charge as he said. He stated, "I'm the one in charge," so he would be doing all the talking.
249
Q. I asked, "Do you remember there were four?"
A. Yes.
Q. And your answer was, "There was four of them, yeah. The only name I remember was Adler."
Is that what you stated at the grand jury?
A. I might have said that, but --

```
 SRECL  535.03 *              INMATE PROFILE              *     11-25-1997
PAGE 001 OF 001                                                  14:46:54
            18498-044          REG
REGNO: 18498-044                 FUNCTION: PRT DOB/AGE..: 07-11-1949 / 48
NAME..: BOYD, WILLIE EDWARD                    R/S/ETH..: B/M/O
RSP...: S-O-GRE IN-TRANSIT FACILITY            MILEAGE..:
PHONE: N/A                FIS: N/A
ARS ASSIGNMENT..: ADMITTED TO AN IN-TRANSIT FACL FBI NO..: 735997F
ARS DATE/TIME...: 08-18-1997/0925              INS NO...: N/A
 PROJ REL METHOD: PRESUM PAR                   SSN.....: 490526605
 PROJ REL DATE..: 06-01-1998                   DETAINER: YES      CMC..: NO
        - - - - - - - - - - RELEASE DESTINATION - - - - - - - - - -
        AGENCY.............:
        DST ASSIGNMENT.....: USM-MISSOURI, EASTERN DISTRICT
        ADDRESS............:

OFFN/CHG RMKS: POSS W/INT TO DISTR COCAINE:18 YRS & 6 YRS SP
OFFN/CHG RMKS: PAROLE VIOLATOR
  FACL CATEGORY  - - - - - CURRENT ASSIGNMENT - - - - - - - EFF DATE  TIME
  GRE  ADM-REL   FED WRIT  RELEASE ON FEDERAL WRIT          08-18-1997 0825
  S-O  ADM-REL   A-ADMIT   ADMITTED TO AN IN-TRANSIT FACL   08-18-1997 0925
  S-O  CASE MGT  COMPUTR OK USE OF INMATE ACCESS PC O.K.     03-13-1997 0828
  S-O  CASE MGT  PROG RPT  NEXT PROGRESS REPORT DUE DATE     03-01-1998 0826
  S-O  CASE MGT  RPP NEEDS RELEASE PREP PGM NEEDS           03-13-1997 0826
  S-O  CASE MGT  V94 C08913 V94 CURR DRG TRAF BEFORE 91394  03-13-1997 0826
  S-O  CUSTODY   IN        IN CUSTODY                       02-27-1997 0803
  S-O  DRUG PGMS DRG E COMP DRUG EDUCATION COMPLETED        02-04-1994 1457
  S-O  DRUG PGMS DRG I REQD DRUG INTERVIEW REQUIRED         03-13-1997 0825

  S-O  EDUC INFO ESL HAS   ENGLISH PROFICIENT               09-20-1993 1348
  S-O  EDUC INFO GED HAS   COMPLETED GED OR HS DIPLOMA      10-05-1993 1511
  S-O  FIN RESP  NO OBLG   FINANC RESP-NO OBLIGATION        09-09-1993 0901
  S-O  LEVEL     MEDIUM    SECURITY CLASSIFICATION MEDIUM   02-27-1997 0815
  S-O  MED DY ST REG DUTY  NO MEDICAL RESTR--REGULAR DUTY   03-05-1997 1227
  S-O  MED DY ST YES F/S   CLEARED FOR FOOD SERVICE         03-05-1997 1228
  S-O  RELIGION  MUSLIM    MUSLIM                           09-09-1993 0002

250

G0000     TRANSACTION SUCCESSFULLY COMPLETED
```

to any continuance at this time. I believe Mr. Epstein has talked to both Mr. Hassell and has been in communication with Miss Davis. I've received synopsis of interviews that were done and I don't believe that there's any further witnesses that Mr. Epstein will come forth with at this time with regard to the incident in question and Mr. Epstein from what -- from Jencks material indicates that we -- there will be other witnesses concerning the November 6th, 1995 event over at the Cole's Motel.

THE COURT: All right. I am going to deny the request. This matter has been pending for some time. There has been a further extensive evidentiary hearing before the United States magistrate. All of the materials to which the defendant is entitled have been provided to him.

251

We became aware last Monday, a week ago today, that we would have an evidentiary hearing on the motion involving the possibility of impropriety in the grand jury proceedings and impropriety in the exercise of the rights of the office of the United States Attorney as suggested in the motions by Mr. Boyd, and being aware of that possibility last Monday and then in particular having it formed up Friday, three days ago, that attorneys would be

GRECL 531.01 * INMATE HISTORY * 11-25-1997
PAGE 001 * ADM-REL * 14:47:09

REG NO..: 18498-044 NAME....: BOYD, WILLIE EDWARD
CATEGORY: ARS FUNCTION: PRT FORMAT:

| FCL | ASSIGNMENT | DESCRIPTION | START DATE/TIME | STOP DATE/TIME |
|---|---|---|---|---|
| GRE | FED WRIT | RELEASE ON FEDERAL WRIT | 08-18-1997 0825 | CURRENT |
| S-Q | A-ADMIT | ADMITTED TO AN IN-TRANSIT FACL | 08-18-1997 0925 | CURRENT |
| GRE | A-DES | DESIGNATED, AT ASSIGNED FACIL | 03-03-1997 1155 | 08-18-1997 0825 |
| 4-M | RELEASE | RELEASED FROM IN-TRANSIT FACL | 03-03-1997 1255 | 03-03-1997 1255 |
| 4-M | A-ADMIT | ADMITTED TO AN IN-TRANSIT FACL | 02-27-1997 0917 | 03-03-1997 1255 |
| SCR | ADMIN REL | ADMINISTRATIVE RELEASE | 02-27-1997 0817 | 02-27-1997 0817 |
| SCR | A-ADMIN | ADMINISTRATIVE ADMISSION | 02-27-1997 0802 | 02-27-1997 0817 |
| CST | PAROLE | PAROLE FROM PAR COM OR CI | 07-28-1994 0818 | 02-27-1997 0802 |
| CST | A-DES | DESIGNATED, AT ASSIGNED FACIL | 04-29-1994 1833 | 07-28-1994 0818 |
| O-C | RELEASE | RELEASED FROM IN-TRANSIT FACL | 04-29-1994 1933 | 04-29-1994 1933 |
| O-C | A-ADMIT | ADMITTED TO AN IN-TRANSIT FACL | 04-29-1994 0330 | 04-29-1994 1933 |
| ASH | FURL TRANS | FURLOUGH W/UNESCORTED TRANSFER | 04-29-1994 0330 | 04-29-1994 0330 |
| ASH | A-DES | DESIGNATED, AT ASSIGNED FACIL | 08-27-1993 1415 | 04-29-1994 0330 |
| SOI | RELEASE | RELEASED FROM IN-TRANSIT FACL | 08-27-1993 1415 | 08-27-1993 1415 |
| SOI | A-ADMIT | ADMITTED TO AN IN-TRANSIT FACL | 08-27-1993 0456 | 08-27-1993 1415 |
| ATL | HLD REMOVE | HOLDOVER REMOVED | 08-27-1993 0456 | 08-27-1993 0456 |
| SIL | A-HLD | HOLDOVER, TEMPORARILY HOUSED | 07-26-1993 1329 | 08-27-1993 0456 |
| 301 | RELEASE | RELEASED FROM IN-TRANSIT FACL | 07-26-1993 1329 | 07-26-1993 1329 |
| 901 | A-ADMIT | ADMITTED TO AN IN-TRANSIT FACL | 07-26-1993 0700 | 07-26-1993 1329 |
| ERE | HLD REMOVE | HOLDOVER REMOVED | 07-26-1993 0600 | 07-26-1993 0600 |
| ERF | A-HLD | HOLDOVER, TEMPORARILY HOUSED | 07-12-1993 1330 | 07-26-1993 0600 |
| J-A | A-ADMIT | ADMITTED TO AN IN-TRANSIT FACL | [illegible] | [illegible] |
| NCR | ADMIN REL | ADMINISTRATIVE RELEASE | 07-08-1993 0947 | 07-08-1993 0947 |
| NCR | A-ADMIN | ADMINISTRATIVE ADMISSION | 07-08-1993 0943 | 07-08-1993 0947 |
| CST | PL PAR | PUBLIC LAW REL-PAROLEE | 12-11-1992 0620 | 07-08-1993 0943 |
| CST | A-PL PAR | PUBLIC LAW-PAROLEE | 09-21-1992 0850 | 12-11-1992 0620 |
| 2-L | RELEASE | RELEASED FROM IN-TRANSIT FACL | 09-21-1992 0950 | 09-21-1992 0950 |
| 2-L | A-ADMIT | ADMITTED TO AN IN-TRANSIT FACL | 09-11-1992 1100 | 09-21-1992 0950 |
| CST | ADMIN REL | ADMINISTRATIVE RELEASE | 09-11-1992 1000 | 09-11-1992 1000 |
| CST | A-ADMIN | ADMINISTRATIVE ADMISSION | 09-11-1992 0959 | 09-11-1992 1000 |
| CST | PL PAR | PUBLIC LAW REL-PAROLEE | 12-19-1991 0710 | 09-11-1992 0959 |
| CST | A-PL PAR | PUBLIC LAW-PAROLEE | 11-01-1991 0801 | 12-19-1991 0710 |
| 1-H | RELEASE | RELEASED FROM IN-TRANSIT FACL | 11-01-1991 0901 | 11-01-1991 0901 |
| 1-H | A-ADMIT | ADMITTED TO AN IN-TRANSIT FACL | 11-01-1991 0900 | 11-01-1991 0901 |
| CXC | TRANSFER | TRANSFER | 11-01-1991 0800 | 11-01-1991 0800 |
| CXC | A-PL PAR | PUBLIC LAW-PAROLEE | 10-21-1991 1225 | 11-01-1991 0800 |
| CXC | PAROLE | PAROLE FROM PAR COM OR CI | 10-18-1991 1500 | 10-21-1991 1225 |
| CXC | A-DES | DESIGNATED, AT ASSIGNED FACIL | 09-20-1991 0800 | 10-18-1991 1500 |
| 3-X | RELEASE | RELEASED FROM IN-TRANSIT FACL | 09-20-1991 0900 | 09-20-1991 0900 |
| 3-X | A-ADMIT | ADMITTED TO AN IN-TRANSIT FACL | 09-13-1991 0830 | 09-20-1991 0900 |

252

G0002 MORE PAGES TO FOLLOW

REG NO..: 18498-044 NAME....: BOYD, WILLIE EDWARD
CATEGORY: ARS FUNCTION: PRI FORMAT:

| FCL | ASSIGNMENT | DESCRIPTION | START DATE/TIME | STOP DATE/TIME |
|---|---|---|---|---|
| MCR | ADMIN REL | ADMINISTRATIVE RELEASE | 09-13-1991 0730 | 09-13-1991 0730 |
| MCR | A-ADMIN | ADMINISTRATIVE ADMISSION | 09-13-1991 0725 | 09-13-1991 0730 |
| CSE | PAROLE | PAROLE FROM PAR COM OR CI | 06-21-1989 0400 | 09-13-1991 0725 |
| CSE | A-DES | DESIGNATED, AT ASSIGNED FACIL | 04-04-1989 1506 | 06-21-1989 0400 |
| I-I | RELEASE | RELEASED FROM IN-TRANSIT FACL | 04-04-1989 1806 | 04-04-1989 1806 |
| I-I | A-ADMIT | ADMITTED TO AN IN-TRANSIT FACL | 04-04-1989 1100 | 04-04-1989 1806 |
| CSE | TRANSFER | TRANSFER | 04-04-1989 0800 | 04-04-1989 0800 |
| CSE | A-DES | DESIGNATED, AT ASSIGNED FACIL | 02-20-1988 1243 | 04-04-1989 0800 |
| I-I | RELEASE | RELEASED FROM IN-TRANSIT FACL | 02-20-1988 1543 | 02-20-1988 1543 |
| I-I | A-ADMIT | ADMITTED TO AN IN-TRANSIT FACL | 02-20-1988 0845 | 02-20-1988 1543 |
| LVN | TRANSFER | TRANSFER | 02-20-1988 0745 | 02-20-1988 0745 |
| LVN | A-DES | DESIGNATED, AT ASSIGNED FACIL | 05-13-1982 1450 | 02-20-1988 0745 |

253

G0000 TRANSACTION SUCCESSFULLY COMPLETED

ERECL 531.01 * INMATE HISTORY * 11-25-1997
PAGE 001 OF 001 * QUARTERS * 14:47:13

REG NO..: 18498-044 NAME....: BOYD, WILLIE EDWARD
CATEGORY: OTR FUNCTION: PRT FORMAT:

| FCL | ASSIGNMENT | DESCRIPTION | START DATE/TIME | STOP DATE/TIME |
|---|---|---|---|---|
| GRE | H3 1109S | UNIT H-3/SIDE A/SINGLE | 07-16-1997 0958 | 08-18-1997 0825 |
| GRE | H3 1109U | UNIT H-3/SIDE A/UPPER | 03-04-1997 1512 | 07-16-1997 0958 |
| GRE | H3-A | UNIT H3, A-SIDE | 03-03-1997 1155 | 03-04-1997 1512 |
| ASH | D | D CELLHOUSE | 08-27-1993 1415 | 04-29-1994 0330 |
| ATL | R/D | R/D OUT COUNT | 08-27-1993 0039 | 08-27-1993 0456 |
| ATL | ANB 204 | ANB CELL 204 | 07-26-1993 2017 | 08-27-1993 0039 |
| ATL | R/D | R/D OUT COUNT | 07-26-1993 1329 | 07-26-1993 2017 |
| ERE | HLD3 | HOLDOVER UNIT 3 | 07-24-1993 0923 | 07-26-1993 0600 |
| ERE | HLD1 | HOLDOVER 1 | 07-14-1993 1430 | 07-24-1993 0923 |
| LVN | A-439 | ACH - CELL 439 | 11-30-1987 1000 | 02-20-1988 0745 |
| LVN | D-206 | CELLHOUSE D - CELL 206 | 09-30-1983 1100 | 11-30-1987 1000 |
| LVN | ADM DET | ADMINISTRATIVE DETENTION | 09-23-1983 1528 | 09-30-1983 1100 |
| LVN | D-206 | CELLHOUSE D - CELL 206 | 12-07-1982 1711 | 09-23-1983 1528 |

254

G0000 TRANSACTION SUCCESSFULLY COMPLETED

GRECL 531.01 * INMATE HISTORY * 11-25-1997
PAGE 001 OF 001 * QUARTERS * 14:47:13

REG NO...: 18498-044 NAME....: BOYD, WILLIE EDWARD
CATEGORY: OTH FUNCTION: PRT FORMAT:

| FCL | ASSIGNMENT | DESCRIPTION | START DATE/TIME | STOP DATE/TIME |
|---|---|---|---|---|
| GRE | H3 1109S | UNIT H-3/SIDE A/SINGLE | 07-16-1997 0958 | 08-18-1997 0825 |
| GRE | H3 1109U | UNIT H-3/SIDE A/UPPER | 03-04-1997 1512 | 07-16-1997 0958 |
| GRE | H3-A | UNIT H3, A-SIDE | 03-03-1997 1155 | 03-04-1997 1512 |
| ASH | D | D CELLHOUSE | 08-27-1993 1415 | 04-29-1994 0330 |
| ATL | R/D | R/D OUT COUNT | 08-27-1993 0039 | 08-27-1993 0456 |
| ATL | AH8 204 | AH8 CELL 204 | 07-26-1993 2017 | 08-27-1993 0039 |
| ATL | R/D | R/D OUT COUNT | 07-26-1993 1329 | 07-26-1993 2017 |
| ERE | HLD3 | HOLDOVER UNIT 3 | 07-24-1993 0923 | 07-26-1993 0600 |
| ERE | HLD1 | HOLDOVER 1 | 07-14-1993 1430 | 07-24-1993 0923 |
| LVN | A-439 | ACH - CELL 439 | 11-30-1987 1000 | 02-20-1988 0745 |
| LVN | D-206 | CELLHOUSE D - CELL 206 | 09-30-1983 1100 | 11-30-1987 1000 |
| LVN | ADM DET | ADMINISTRATIVE DETENTION | 09-23-1983 1528 | 09-30-1983 1100 |
| LVN | D-206 | CELLHOUSE D - CELL 206 | 12-02-1982 1711 | 09-23-1983 1528 |

255

G0000 TRANSACTION SUCCESSFULLY COMPLETED

02/10/97 07:34:17 MULEE 245 5M PAGE 2

NO RECORD

PSPEC: INPUT:

*** END OF MESSAGE ***

256

02/10/97 07:34:20 NCIC SYSTEM PAGE 3

NO RECORD

PGREQ: INPUT:

*** END OF MESSAGE ***

02/10/97 07:40:55 MULES SYSTEM PAGE 1

3021 REJ REQ FLDS MISSING

EA

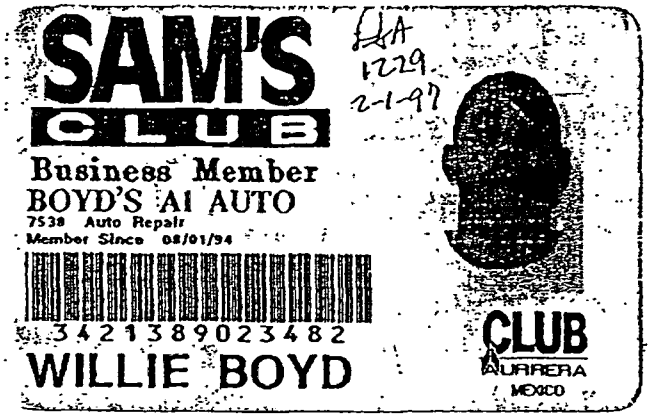
PGREV: INPUT:

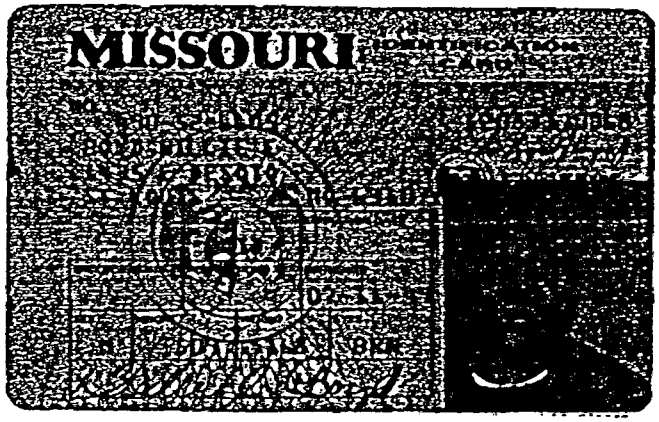
*** END OF MESSAGE ***

257

Document # 258
3 Pages
Exemption (b)(5)

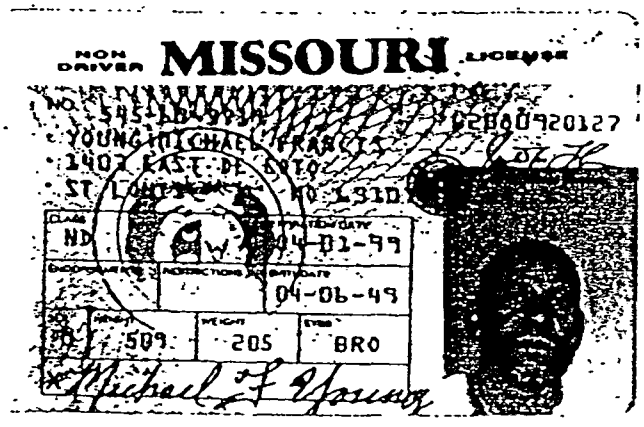
259

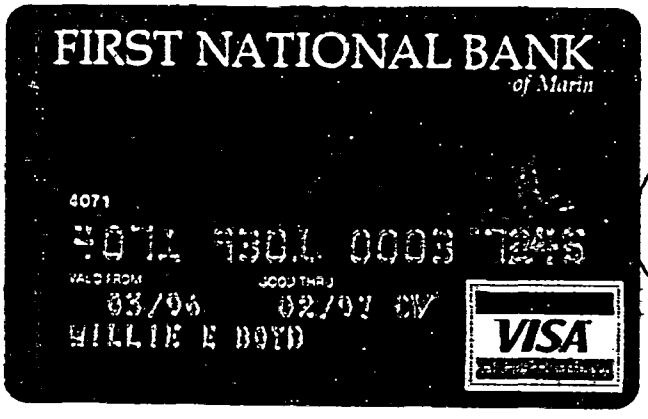








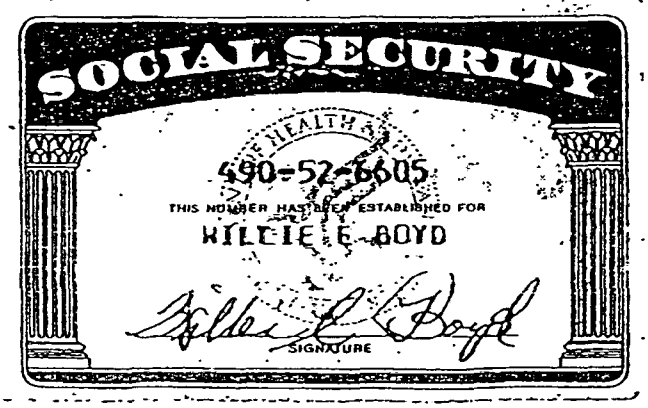




VOLVO Alfa Romeo

NEW & PREOWNED SALES REP.

WEST COUNTY MOTOR CO.
14410 MANCHESTER RD.
MANCHESTER, MO 63011

314-227-8303
1-800-822-4521
FAX: 227-5869

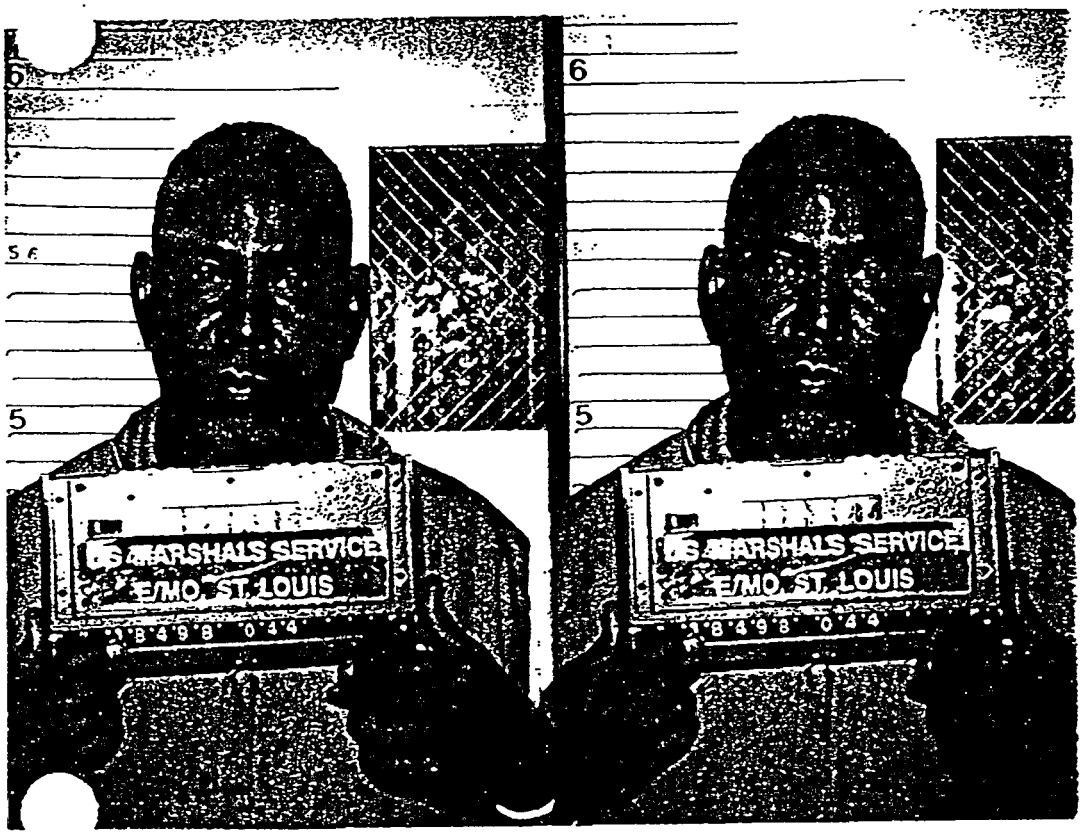



YMCA MEMBER
S. Side/Carondelet

Willie Boyd
4212 Shaw
St Louis MO 63110

End
Member Since 11/94

OF GREATER ST LOUIS


6
5
6
5
US MARSHALS SERVICE
E/MO. ST. LOUIS
8498 0444
US MARSHALS SERVICE
E/MO. ST. LOUIS
8498 0444

261

262

10/97 08:47:50 DEPARTMENT OF REVENUE VEHICLE REGISTRATION
FULL RESP PAGE 1

LICENSE: TAB: TYPE: PASSENGER
VIN: TITLE:
MFR: VST: VTP: PASSENGER SERIES:
WGT/ec. AXLES: FUEL: GAS CYL: 04 HP:
OWNER: LAST UPDATE:
ADDRESS: COUNTY: ST LOUIS COUNTY
FIRST ISSUED: SECOND ISSUED: ORIG TRANS: TITLE REG

SPECIAL REGISTRATION
LIC JUL 96 PASS-PP OFFICE NO
APPLICATION DATE:07/31/95 BATCH NO:

REGISTRATION RENEWAL-OK
LIC JUL 97 PASSENGER OFFICE NO
APPLICATION DATE:07/31/96 BATCH NO

TITLE: ORIGINAL
PURCHASED ON:10/13/94
TITLE APPLICATION DATE:10/[illegible]/9[illegible] NEW/USED:USED INSTATE
EXEMPT NO:01

263

97 08:46:29 DEPARTMENT OF REVENUE VEHICLE REGISTRATION
PRIMARY RESPONSE

LICE YR: 97 TAB: TYPE: PASSENGER
VIN: TITLE:
YR: VST: VTP: PASSENGER SERIES:
MGT 32 AXLES: FUEL: GAS CYL: HP:
OWNER LAST UPDATE: 11/01/96
ADDRESS: COUNTY: ST LOUIS COUNTY
FIRST ISSUED: SECOND ISSUED: ORIG TRANS: TITLE REG

INPUT:




01 10/97 06:45:34 DEPARTMENT OF REVENUE VEHICLE REGISTRATION
PRIMARY RESPONSE

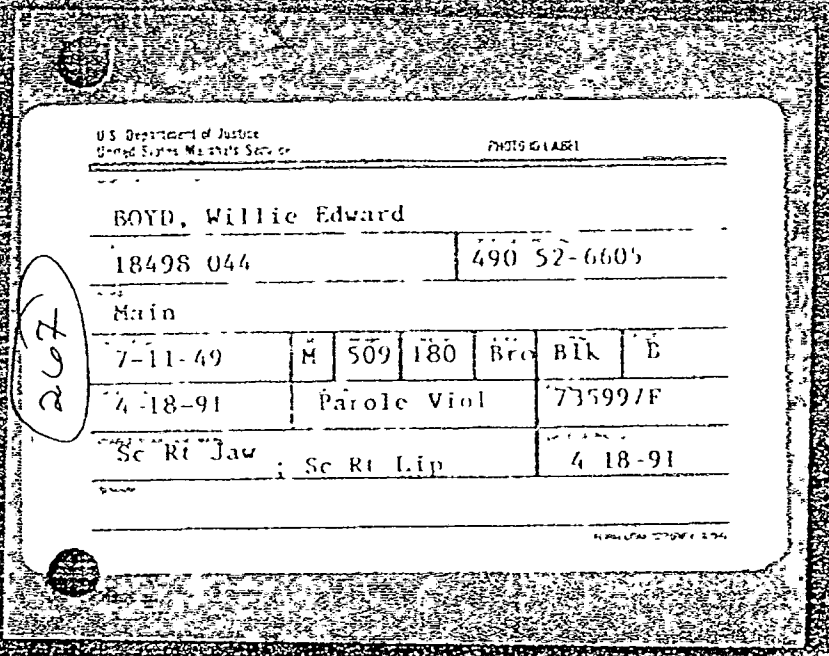
LICENSE: CITY: TAB: TYPE:
VIN: TITLE:
VYR: VMA: VOT. VTP: PASSENGER SERIES:
WGT/SEAT: AXLES: FUEL: GAS CYL: HP:
OWNR #: LAST UPDATE: 09/14/96
ADDRESS: COUNTY: ST LOUIS COUNTY
FIRST ISSUED: SECOND ISSUED: ORIG TRANS: TITLE TRANSFER

INPUT:

Document # 265

2 Pages

Exemptions (b)(2)
and (b)(7)(C)



U.S. Department of Justice
United States Marshals Service

PHOTOGRAPH

BOYD, Willie Edward

18498 044 | 490 52-6605

Main

| | | | | | | |
|---|---|---|---|---|---|---|
| 7-11-49 | M | 509 | 180 | Bro | Blk | B |
| 4-18-91 | Parole Viol | | | | 73599/F | |
| Sc Rt Jaw | Sc Rt Lip | | | | 4-18-91 | |

247

The Bureau of Alcohol, Tobacco and Firearms (ATF) investigated the defendant's criminal activity, which revealed that the defendant had gambled over $150,000.00 in an eight month period in 1995 at the Casino Queen in East St. Louis, Illinois where he filed false IRS Currency Transaction Reports under the name Billy M. Jackson. The ATF also discovered that the defendant had previously been arrested under his alias of Billy Jackson by St. Louis Metropolitan Police Department Narcotics Detectives on November 6, 1995 while in possession of a defaced .357 magnum revolver and a quantity of crack cocaine at the Cole's Motel in the 4500 ~~block~~ of Natural Bridge.

.ent on to praise the work done on the case by the Bureau of Alcohol, Tobacco and Firearms, the United States Marshal's Service, the Internal Revenue Service, the Social Security Administration, the Missouri Department of Revenue, the St. Louis Metropolitan Police Department, and Assistant United States Attorney Gary M. Gaertner, Jr.



Document #269

1 Page

Exemption (b)(5)

12/276
24
36

-327 Sentencing 4:97CR301 SN

12/2/98 Judge Stephen N. Limbaugh

Sentenced ▲ Boyd to:

276 (23 years) mos. imprisonment ★

6 - CT 5-ffs yrs. Supervised Release

Ø waived fine

400[1-11] 50 5-8 $600 Special assessment

Violations:

2/1/97 f/a Title 18, USC 922(g)(1) CT II and > CT II

f/a enhancement Title 18, USC 924(e)(1)

53.72g (cocaine) Title 21, USC 841(a)(1) CT I

prior Sec viol Title 42 USC, 408(a)(7) CT III

prior Sec fraud Title 42, USC, 408(a)(7) CT IV

also CR Title 31, USC, 5313, 5324(a)(2) and 5324(c), CT

" " " " CT

" " " " CT VII

SS system Title 18, USC, 922(g)(1) & 924(e) CT VIII

Count IX dismissed - additional 922(g) & 924(e) count

Title, 18, USC, Sect 982(a)(1) forfeiture count

270

LEAVE BLANK | CRIMINAL | (STAPLE HERE) | LEAVE BLANK

STATE USAGE

NFF SECOND SUBMISSION | APPROXIMATE CLASS | AMPUTATION | SCAR

STATE USAGE

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

Last Name
BOYD
First Name
Willie
Middle Name
Edward

Registration Number
18498-044



Race
B
Sex
M
Height
5 09
Weight
155
Hair Color
BK
Eye Color
BN
Custody
IN
Date of Birth
JUL 11, 1949
Date of Photo
MAR 3, 1997
INSTITUTION
GRE

x Willie Boyd
ALIASES/MAIDEN
LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

271

FBI NO | STATE IDENTIFICATION NO | DATE | HAIR


1 R. THUMB


2 R. INDEX


3 R. MIDDLE


4 R. RING


5 R. LITTLE


6 L. THUMB


7 L. INDEX


8 L. MIDDLE

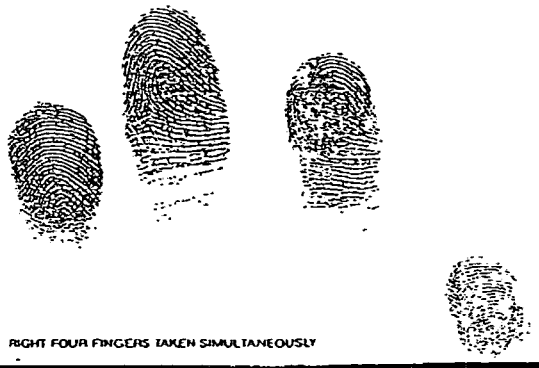

9 L. RING


10 L. LITTLE


LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY


L. THUMB


R. THUMB


RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY

# FEDERAL BUREAU OF INVESTIGATION, UNITED STATES DEPARTMENT OF JUSTICE
## WASHINGTON, D.C. 20537

PRIVACY ACT OF 1974 (PL 93-579) REQUIRES THAT FEDERAL, STATE, OR LOCAL AGENCIES INFORM INDIVIDUALS WHOSE SOCIAL SECURITY NUMBER IS REQUESTED WHETHER SUCH DISCLOSURE IS MANDATORY OR VOLUNTARY, BASIS OF AUTHORITY FOR SUCH SOLICITATION, AND USES WHICH WILL BE MADE OF IT.

[illegible] [illegible] 3K

IL060017C
US BU OF PRISONS
GREENVILLE, IL

4-17-77

REPLY DESIRED? YES ☐

| SEND COPY TO: (ENTER ORI) | DATE OF OFFENSE MM DD YY | PLACE OF BIRTH (STATE OR COUNTRY) | COUNTRY OF CITIZENSHIP |
|---|---|---|---|
| | | | |

| MISCELLANEOUS NUMBERS | SCARS, MARKS, TATTOOS, AND AMPUTATIONS |
|---|---|
| | NONE |

| | RESIDENCE/COMPLETE ADDRESS | CITY | STATE |
|---|---|---|---|
| | | | |

| OFFICIAL TAKING FINGERPRINTS (NAME OR [illegible]) | LOCAL IDENTIFICATION/REFERENCE | PHOTO [illegible] YES ☐ |
|---|---|---|
| | | PALM PRINTS TAKEN? YES ☐ |

EMPLOYER (U.S. GOVERNMENT, INDICATE SPECIFIC AGENCY)
IF MILITARY, LIST BRANCH OF SERVICE AND SERIAL NO

OCCUPATION

| CHARGE/CITATION | DISPOSITION |
|---|---|
| 1. | 1 |
| 2 | 2 |
| 3 | 3 |
| ADDITIONAL | ADDITIONAL |

272

ADDITIONAL INFORMATION/BASIS FOR CAUTION

STATE BUREAU STAMP

FD-249 (Rev. 12-1-94)

☆U.S. GPO: 1996—405-015/20024

# BUREAU OF ALCOHOL, TOBACCO & FIREARMS

GROUP SUPERVISOR
ST. LOUIS GROUP II
KANSAS CITY FIELD DIVISION
100 SOUTH FOURTH STREET, ROOM 750
ST. LOUIS, MISSOURI 63102-1800
TELEPHONE: (314) 425-5551
FAX: (314) 425-5568

FAX NO: _____ PAGE 1 OF 2 PAGES

TO: FCI ASHLAND

ATTN: RECORDS

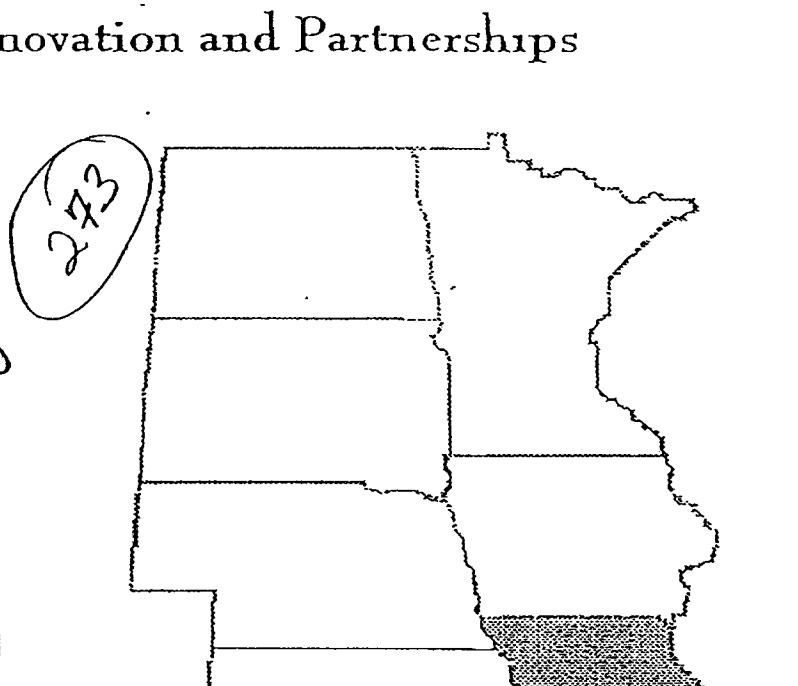
SUBJ: PEN PACK, RE: BOYD, WILLIE 18498-044

COMMENTS: THANK YOU FOR YOUR ATTENTION TO THIS REQUEST. CALL ME IF YOU NEED ANYTHING ELSE.

DATE: 4/10/97 APPROVED BY: SA

Working for a Sound and Sater Ame a...
Through Innovation and Partnerships



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
100 South 4th Street
Suite 750
St. Louis, Missouri 63102

Federal Correctional Institution-Ashland
Records Center
Ashland, Kentucky 41105

Attention Records,

Our office is preparing a federal criminal case charging Willie Edward Boyd, a/k/a Willie Edward Osborne, #18498-044. (Black, Male, DOB:071149, SSN:490-52-6605, FBI# , with violations of the Federal Firearms Laws. It is requested that you provide a certified and exemplified copy of his penitentiary papers, including judgement and sentence, fingerprints, photographs, and parole agreements reflecting incarceration for all federal felonies in the Federal Bureau of Prisons.

Our records indicate that on May 13, 1982, Boyd was received at USP-Leavenworth for Conspiracy to Distribute Cocaine and Possession of a Firearm, under inmate number 18498-044. On July 28, 1994, Boyd was released from B.O.P. custody at FCI Ashland.

Please forward these documents to the following agent:

Special Agent
Bureau of Alcohol, Tobacco & Firearms
100 South Fourth St., Suite 750
St. Louis, Missouri 63102-1800
(314) 425-55

Thank you for your assistance and cooperation in this matter.

Sincerely,

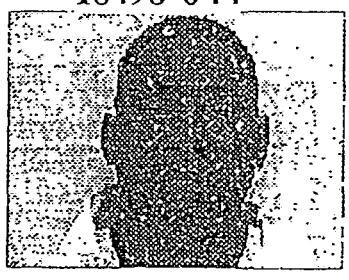
274

Special Agent in Charge

Last Name
BOYD
First Name
Willie
Middle Name
Edward

Race
B
Sex
M
Height
5 09
Weight
155
Hair Color
BK
Eye Color
BN
Custody
IN
Date of Birth
JUL 11, 1949
Date of Photo
MAR 3, 1997
INSTITUTION
GRE

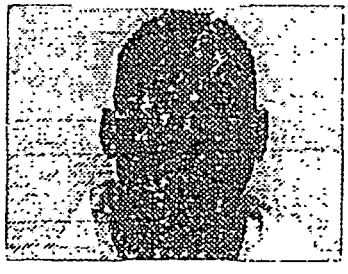
Registration Number
18498-044




Last Name
BOYD
First Name
Willie
Middle Name
Edward

Race
B
Sex
M
Height
5 09
Weight
155
Hair Color
BK
Eye Color
BN
Custody
IN
Date of Birth
JUL 11, 1949
Date of Photo
MAR 3, 1997
INSTITUTION
GRE

Registration Number
18498-044

# BUREAU OF ALCOHOL, TOBACCO & FIREARMS

GROUP SUPERVISOR
ST. LOUIS GROUP II
KANSAS CITY FIELD DIVISION
100 SOUTH FOURTH STREET, ROOM 750
ST. LOUIS, MISSOURI 63102-1800
TELEPHONE: (314) 425-5551
FAX: (314) 425-5568

FAX NO: _____ PAGE 1 OF 2 PAGES

TO: FCI - GREENVILLE

ATTN: RECORDS

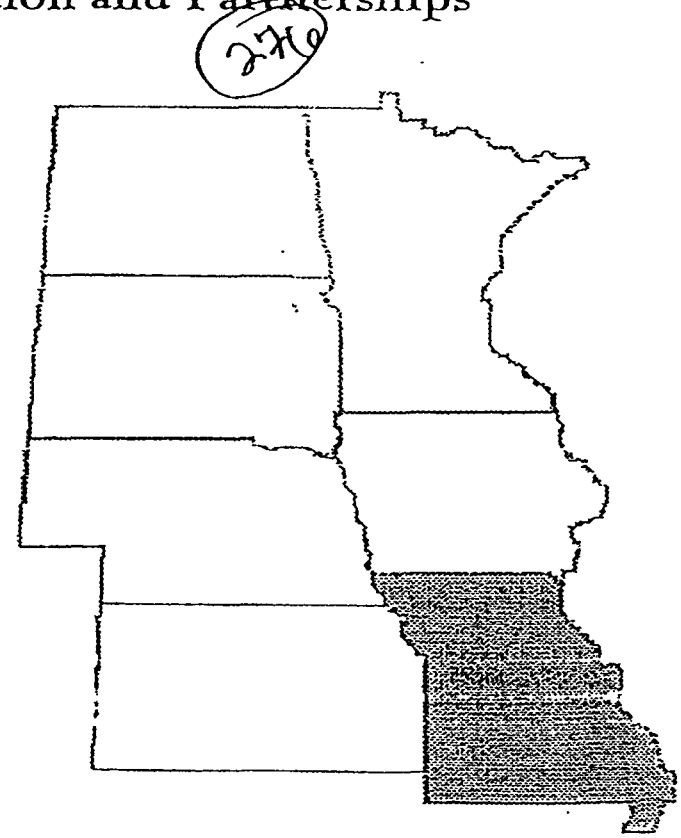
SUBJ: PEN PACK REQUEST, RE: BOYD, WILLIE 18498-044

COMMENTS: CALL IF YOU NEED ANYTHING ELSE.

DATE: 4/10/97 APPROVED BY: _____

Working for a Sound and Safer America...
Through Innovation and Partnerships



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
100 South 4th Street, Suite 750
St. Louis, Missouri 63102
April 10, 1997

Federal Correctional Institution-Greenville
Records Center
P.O. Box 4000
Greenville, Illinois 62246

Attention Records,

Our office is preparing a federal criminal case charging Willie Edward Boyd, a/k/a Willie Edward Osborne, #18498-044, (Black, Male, DOB:071149, SSN:490-52-6605, FBI# , with violations of the Federal Firearms Laws. It is requested that you provide a certified and exemplified copy of his penitentiary papers, including judgement and sentence, fingerprints, photographs, and parole agreements reflecting incarceration for all federal felonies in the Federal Bureau of Prisons (BOP).

Our records indicate that on May 13, 1982, Boyd was received at USP-Leavenworth for Conspiracy to Distribute Cocaine and Possession of a Firearm, under inmate number 18498-044. On July 28, 1994, Boyd was released from BOP custody at FCI Ashland. Boyd was returned to BOP custody in March, 1997, on a parole violation.

Please forward these documents to the following agent:

Special Agent
Bureau of Alcohol, Tobacco & Firearms
100 South Fourth St., Suite 750
St. Louis, Missouri 63102-1800
(314) 425-55

Thank you for your assistance and cooperation in this matter.

Sincerely,

Special Agent in Charge

02/03/97 14:50:15 NCIC SYSTEM AGE 1
PUR/C.ATN'

THIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
RECORD REQUEST FOR FBI, INDIVIDUAL'S RECORD WILL BE COMPLETE
WHEN ALL RESPONSES ARE RECEIVED FROM THE FOLLOWING SOURCES:
FBI - FBI.
CALIFORNIA - STATE ID/

END

EGREQ: INPUT:

*** END OF MESSAGE ***

2x8

[redacted]

REQ:  INPUT:

***** END OF MESSAGE *****

**********

GENERAL MESSAGE ROUTE SYSTEM
PRINT DATE:05/06/97 TIME:10:24

**********

ALL NUMBER: 000389
BUREAU OF AIR
FBM
ATED : 05/06/97
NDER ORI :

CCH/III SEQUENCE NUMBER

IIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
ECORD REQUEST FOR FBI INDIVIDUAL'S RECORD WILL BE COMPLETE
HEN ALL RESPONSES ARE RECEIVED FROM THE FOLLOWING SOURCES:
BI - FBI
ALIFORNIA -- STATE ID

249

**********

E N D  O F  M E S S A G E

**********

**********

GENERAL MESSAGE ROUTE SYSTEM
PRINT DATE:05/06/97 TIME:10:24

**********

ATED : 05/06/97

GENERAL MESSAGE ROUTE SYSTEM
PRINT DATE:05/06/97 TIME:10:24

MESSAGE NUMBER: 006490
:
OM : TERM
NTED : 05/06/9.
ENDER ORI :

: 10.25 05/06/97

0:24 05/06/9
0:24 05/06/97

280

M/SP

HE FOLLOWING RECORD PERTAINS TO FBI
SID/

ESTRICTED - DO NOT USE FOR EMPLOYMENT, LICENSING OR
CERTIFICATION PURPOSES

. III MULTI STATE RECORD

OB/0/-11-1949 SEX/M RAC/BLACK
GT/509 WGT/160 EYE/BRO HAI/BLK POB/MO
AM/01 OSBORNE,WILLIE EDWARD
02 OSBORNE,WILLIE E
03 BOYD,WILLIE E
04 BOYD,WILLIE EDWARD
FPC HENRY
5 U 010 18
M 17 U II 13
MNU/FBI
NN
AAAA
10-05-75 CRIMINAL MEDIA CO

01/01 OSBORNE,WILLIE EDWARD
02 OSBORNE,WILLIE E
03 BOYD,WILLIE E
04 BOYD,WILLIE EDWARD
FPC HENRY
D 5 U OIO 18
M 17 U III 13
MNU/FBI
INN-LOC-
****
10-05-75 CAIDALAMEDA CO

01:496 PC-RECEIVE/ETC KNOWN STOLEN PROPERTY
02:182 PC-CRIMINAL CONSPIRACY
03:12303.3 PC-USE/ETC EXPLO/ETC/DVICE:INT:INJ/ETC
04:12025 PC-CARRY CONCEALED WEAPON ON PERSON/VEH
05:12031(A) PC-CARRY LOADED FIREARM:PUBLIC PLACE
DISCR PO:ACTION PENDING
12303.3 PC-USE/ETC EXPLO/ETC/DVICE:INT:INJ/ETC
10-24-75 CAMCOAKLAND

01:182 PC-CRIMINAL CONSPIRACY
DISPO:DISMISSED/GRAND JURY INDICTMENT
02:12303 PC-POSSESS DESTRUCTIVE DEVICE
DISPO:DISMISSED/GRAND JURY INDICTMENT
03:12303.3 PC-USE/ETC EXPLO/ETC/DVICE:INT:INJ/ETC
DISPO:DISMISSED/GRAND JURY INDICTMENT
04:496 PC-RECEIVE/ETC KNOWN STOLEN PROPERTY
DISPO:DISMISSED/GRAND JURY INDICTMENT
05:12025 PC-CARRY CONCEALED WEAPON ON PERSON/VEH
DISPO:DISMISSED/GRAND JURY INDICTMENT
06:12031(A) PC-CARRY LOADED FIREARM:PUBLIC PLACE
DISPO:DISMISSED/GRAND JURY INDICTMENT
****
04-06-76 CASDCORRECTIONS

01:12021(A) PC-FELON/ADDICT POSSESS FIREARM
02-06-78 DISPO:PAROLED
03-08-79 DISPO:DISCHARGED FROM PAROLE
**********
ANTS NOT CHECKED OR - PLEASE CHECK NCIC WANTS
**********

ND OF RECORD
OM
EOM
**********
THIS MESSAGE CAME FROM THE SENDING ORI APPEARS *
IN THE MESSAGE HEADER. *
**********

**********
E N D O F M E S S A G E *
**********

281

1-ARRESTED OR RECEIVED 08/[illegible]/66
AGENCY-POLICE DEPARTME SAINT LOUIS
AGENCY CASE-105979
CHARGE-1-SUSP ROB > No Prosecution

COURT-
DISPOSITION-
CHARGE-SUSP ROB
SENTENCE-

WAR NOT APL

2-ARRESTED OR RECEIVED 08/22/66
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE [redacted] Warrant Refused

COURT-
DISPOSITION-
CHARGE-ATT BURG
SENTENCE-
REFUSE

3-ARRESTED OR RECEIVED 09/02/66
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE [redacted] 2nd Suspect Robbery
Warrant Not Prosecuted

COURT-
DISPOSITION-
CHARGE-SUSP ROB
SENTENCE-
WAR NOT APL REL CASE WAS NOLLE PROSEQUI ON AR

4-ARRESTED OR RECEIVED 09/22/66
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE-1-ARMED [redacted] Another Armed Robbery / Convicted

5-ARRESTED OR RECEIVED 12/19/66
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE-1-ROB [redacted] Another Robbery / Convicted

6-ARRESTED OR RECEIVED 07/25/67
AGENCY-JEFF CITY CORR CTR JEFFERSON CITY
AGENCY CASE-14008
CHARGE 1-ROB 1ST DEG B/M OF D & DW

COURT-
DISPOSITION-

CHARGE-ROB 1ST DEG B/M OF D & DW
SENTENCE-
PG 5 YRS ST LOUIS CITY

282

7-ARRESTED OR RECEIVED 04/18/70
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-[illegible] NAME USED [illegible]
CHARGE-1-CCW-GUN-DISCH FIREARMS IN CITY (Carry Concealed & Firearm Discharge) Firearm

COURT-
DISPOSITION-
CHARGE-CCW-GUN-DISCH FIREARMS IN CITY Not Prosecuted

8-ARRESTED OR RECEIVED 10/16/70
AGENCY-POLICE DEPARTME. SAINT LOUIS
AGENCY CASE-105979 NAME USED-BOYD,WILLIE E
CHARGE 1-SUSP VIOL MO NARC LAW — DRUG VIOLATION
COURT- — WARRANT NOT APPLIED FOR
DISPOSITION-
CHARGE-SUSP VIOL MO NARC LAW
SENTENCE-
WAR NOT APL

9-ARRESTED OR RECEIVED 12/15/70
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979 NAME USED BOYD,WILLIE EDWARD
CHARGE 1-MUR — MURDER
CHARGE 2-ROB — ROBBERY
CHARGE 3-SAFEKEEPING — BOTH NOT PROSECUTED
COURT-
DISPOSITION-
CHARGE-MUR
SENTENCE-
NOLLE PROSEQUI

DISPOSITION-
CHARGE-ROB
SENTENCE-
NOLLE PROSEQUI

10-ARRESTED OR RECEIVED 09/16/71
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-[redacted] — BURGLARY > CONVICTED
CHARGE 2-[redacted] — POSS. OF DRUGS > UNK.
CHARGE 3-[redacted] — STEALING > CONVICTED

11-ARRESTED OR RECEIVED 02/10/72
AGENCY-JEFF CITY CORR CTR JEFFERSON CITY
AGENCY CASE-21806 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-BURG 2ND DEG
CHARGE 2-STLG FROM DWELLING HOUSE

283

COURT-
DISPOSITION-
CHARGE-BURG 2ND DEG
SENTENCE-
PS 5 YRS
DISPOSITION-
CHARGE-STLG FROM DWELLING HOUSE
SENTENCE-
PS 5 YRS CC

12-ARRESTED OR RECEIVED 05/21/78
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-MURDER-3CTS — MURDER - 3 (COUNTS) > UNKNOWN DISP
CHARGE 2-CCW-GUN — CARRYING CONCEALED FIREARMS > CONVICTED

DISPOSITION-
CHARGE-CCW-GUN
SENTENCE-

AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979 NAME USED-BOYD,WILLIE EDW. D
CHARGE 1-~~DSW-RUN F~~ (carrying) Firearm - (Misdo
CHARGE 2-~~WIC-MB-CON SUB-LAW/POSS-TO DIST F~~ (Misdo
CHARGE 3-~~FTA~~ Failure to Appear-Felony > (Misdo

14-ARRESTED OR RECEIVED 06/12/80
AGENCY-JEFF CITY CORR CTR JEFFERSON CITY
AGENCY CASE-3907 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-CCW
CHARGE 2-FELONIOUS FTA ON BAIL BOND CCW
CHARGE 3-ILLEGAL POSS OF SCHEDULE II CON SUB

COURT
DISPOSITION
CHARGE-CCW
SENTENCE-
PG 3 YRS COND REL 5-15-82
DISPOSITION-
CHARGE-FELONIOUS FTA ON BAIL BOND CCW
SENTENCE-
PG 3 YRS CC COND REL 5-15-82
DISPOSITION-
CHARGE-ILLEGAL POSS OF SCHEDULE II CON SUB
SENTENCE-
PG 3 YRS CC COND REL 5-15-82

15-ARRESTED OR RECEIVED 10/21/81
AGENCY-~~DEA~~ SAINT LOUIS
AGENCY CASE-IF-82-X005 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-~~POSS COCAINE W/INT TO DIST~~ Drug > (Misdo

COURT-
DISPOSITION-
CHARGE-POSS COCAINE W/INT TO DIST
SENTENCE-
144 MOS PRISON

284

16-ARRESTED OR RECEIVED 10/22/81S(DATE FP)
AGENCY-USM SAINT LOUIS
AGENCY CASE-18498044 NAME USED BOYD,WILLIE EDWARD
CHARGE 1-POSS W/INT TO DIST COCAINE

COURT-
DISPOSITION-
CHARGE-POSS W/INT TO DIST COCAINE
SENTENCE-
AGGREGATE 18-00-00 FOLLOWED BY A SPT OF 6 YRS

17-ARRESTED OR RECEIVED 05/13/82
AGENCY-US PENITENTIARY LEAVENWORTH
AGENCY CASE-18498-044 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-POSS W/I TO DIST COCAINE
CHARGE 2-POSS OF A FIREARM

COURT
DISPOSITION

UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE

DISPOSITION-

DISPOSITION WITH CHARGE

SUPERVISION OR CUSTODY-
AGENCY-US PROBATION SAINT LOUIS
AGENCY CASE-
Ø6/21/89 STATUS-PAROLE/SPT FORM COMM PROG OFFICE US BUREAU OF PRISONS SEATTLE,WA
FLASH EXPIRES-10/20/Ø5

18-ARRESTED OR RECEIVED Ø2/20/88
AGENCY-STATE REFORMATORY MONROE
AGENCY CASE-938253 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-FED BORDER CNTRLD SUBST CTS I, II Drug 2 Counts) Convicted
CHARGE 2-POSS OF FIREARM CT III Firearm (1 count) Convicted

COURT-
DISPOSITION-
CHARGE-FED BORDER CNTRLD SUBST CTS I, II
SENTENCE-
/ UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE
DISPOSITION-
CHARGE-POSS OF FIREARM CT III
SENTENCE-
6 YRS CS / UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE

19-ARRESTED OR RECEIVED Ø4/18/91

AGENCY-USM SAINT LOUIS
AGENCY CASE-18498-Ø44 NAME USED-BOYD,WILLIE EDWARD
CHARGE [redacted] 1st. Parole Violation

120-ARRESTED OR RECEIVED Ø6/29/93
AGENCY-USM SAINT LOUIS
AGENCY CASE-18498-Ø44 NAME USED-BOYD,WILLIE EDWARD
CHARGE [redacted] 2nd 1st Parole Violation

121-ARRESTED OR RECEIVED Ø8/27/93
AGENCY-FEDERAL CORR INST ASHLAND
AGENCY CASE-18498Ø44 NAME USED-BOYD,WILLIE
CHARGE 1-PV POSS W/I D COC POSS UNREGISTERED FIREARM

285

COURT-
DISPOSITION-
CHARGE-POSS W/I TO DISTRIBUTE COCAINE
SENTENCE-
/ UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE
DISPOSITION-
CHARGE-POSSESSION OF UNREGISTERED FIREARM
SENTENCE-
Ø4-23-92 18 YEARS PAROLE / UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE

SUPERVISION OR CUSTODY-
AGENCY-US PROBATION SAINT LOUIS
AGENCY CASE-
Ø7/28/94 STATUS-PAROLE
FLASH EXPIRES-10/21/99

[illegible] INFORMATION IS OBTAINED BY THE FOLLOWING STATE(S):
CALIFORNIA - STATE ID

```
*                                                                              *
*                  GENERAL MESSAGE ROUTE SYSTEM                                *
*                PRINT DATE:03/18/96 TIME:16:02                                *
*                                                                              *
********************************************************************************

MESSAGE NUMBER: 000900
TO              : US MARSHAL ST LOUIS
FROM            :           TERM
DATED           : 03/18/96
SENDER ORI      :

      CCH/III SEQUENCE NUMBER
THIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
RECORD REQUEST FOR FBI            INDIVIDUAL'S RECORD WILL BE COMPLETE
WHEN ALL RESPONSES ARE RECEIVED FROM THE FOLLOWING SOURCES:
 FBI             - FBI
 CALIFORNIA      - STATE ID

END


********************************************************************************
*                     E N D   O F   M E S S A G E                              *
********************************************************************************
```

286

```
*                  GENERAL MESSAGE ROUTE SYSTEM                                *
*                PRINT DATE:03/18/96 TIME:16:02                                *
*                                                                              *
--------------------------------------------------------------------------------
```

```
03/18/96 15:59:50                MULES SYSTEM                          PAGE    1
                        M/BOYD.FNM/WILLIE.R
            OSSIBLE MATCH ON FEDERAL PROBATION AND PRETRIAL FILES
********  DO NOT ARREST OR DETAIN BASED ON THIS HIT  ********
LNM/BOYD                FNM/WILLIE       MNI/E JSR/   SEX/M RAC/B DOB/07-11-1949

SOC/490526605     FBI/              SID/
SUPERVISION AGENCY/           AGENCY NAME/U S PROBATION OFFICE-ST LOUIS
PHONE1/                   PHONE2/ (   )    -       CONTACT TERM/ SFPA
OFFICER/
CASE NUMBER/ C526605     CASE TYPE/ CONFINED
OFF/7399  PUBLIC ORDER CRIMES
*FPP1 **** CONFIDENTIAL DATA RESTRICTED TO CRIMINAL JUSTICE AGENCIES *********



PGREQ:       INPUT:
                              *** END OF MESSAGE ***
```

287

03/18/96 15:59:39 MULES SYSTEM PAGE 1

/BOYD.FNM/WILLIE.R

POSSIBLE MATCH ON FEDERAL PROBATION AND PRETRIAL FILES

******** DO NOT ARREST OR DETAIN BASED ON THIS HIT ********

LNM/BOYD FNM/WILLIE MNI/ JSR/ SEX/M RAC/B DOB/07-11-1949

SOC/ FBI/ SID/

SUPERVISION AGENCY/ AGENCY NAME/U S PROBATION OFFICE-ST LOUIS

PHONE1/ PHONE2/ ( ) - CONTACT TERM/ SFPA

OFFICER/

CASE NUMBER/ C000548 CASE TYPE/ PAROLE

OFF/7399 PUBLIC ORDER CRIMES

*FPP1 **** CONFIDENTIAL DATA RESTRICTED TO CRIMINAL JUSTICE AGENCIES *********

288

PGREQ: INPUT:

*** END OF MESSAGE ***

03/18/96 15:59:20 MULES SYSTEM PAGE 1

LNM/BOYD.FNM/WI

* * * *

FROM : CRI
DATED : 02/21/97
SENDER ORI :

14.01 02/21/97

13:04 02/21/97
13:04 02/21/97
TXT

ATN/SA

THE FOLLOWING RECORD PERTAINS TO FBI
SID

RESTRICTED - DO NOT USE FOR EMPLOYMENT, LICENSING OR
CERTIFICATION PURPOSES

** III MULTI STATE RECORD

DOB/07-11-1947 SEX/M RAC/BLACK
HGT/509 WGT/160 EYE/BRO HAI/BLK POB/MO
NAM/01 OSBORNE,WILLIE EDWARD
02 OSBORNE,WILLIE E
03 BOYD,WILLIE E
04 BOYD,WILLIE EDWARD
FPC HENRY
D 5 U DIO 18
M 17 U III 13
MNU/FBI-
INN-[illegible]
****
10-05-75 CAIDALAMEDA CO

01:496 PC-RECEIVE/ETC KNOWN STOLEN PROPERTY
02:182 PC-CRIMINAL CONSPIRACY
03:12303.3 PC-USE/ETC EXPLO/ETC/DVICE:INT:INJ/ETC
04:12025 PC-CARRY CONCEALED WEAPON ON PERSON/VEH
05:12031(A) PC-CARRY LOADED FIREARM:PUBLIC PLACE
DISCR PO:ACTION PENDING
12303.3 PC-USE/ETC EXPLO/ETC/DVICE:INT:INJ/ETC
10-24-75 CAMCOAKLAND

290

01:182 PC-CRIMINAL CONSPIRACY
DISPO:DISMISSED/GRAND JURY INDICTMENT
02:12303 PC-POSSESS DESTRUCTIVE DEVICE
DISPO:DISMISSED/GRAND JURY INDICTMENT
03:12303.3 PC-USE/ETC EXPLO/ETC/DVICE:INT:INJ/ETC
DISPO:DISMISSED/GRAND JURY INDICTMENT
04:496 PC-RECEIVE/ETC KNOWN STOLEN PROPERTY
DISPO:DISMISSED/GRAND JURY INDICTMENT
05:12025 PC-CARRY CONCEALED WEAPON ON PERSON/VEH
DISPO:DISMISSED/GRAND JURY INDICTMENT
06:12031(A) PC-CARRY LOADED FIREARM:PUBLIC PLACE
DISPO:DISMISSED/GRAND JURY INDICTMENT
****
04-06-76 [illegible]TIONS

01:12021(A) PC-FELON/ADDICT POSSESS FIREARM
[illegible] DISPO:PAROLED
03-08-79 DISPO:DISCHARGED FROM PAROLE
**********
WANTS NOT CHECKED CR - PLEASE CHECK NCIC WANTS
**********

02/03/97 14:27:06  DISP..CHER'S INQUIRY/RESPONSE SCREEN

**** FROM MULES -  ...M/BOYD.FNM/WILLIE.R

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *
* THIS RESPONSE IS NOT TO BE CONSIDERED A POSITIVE *HIT* SINCE THE *
* INQUIRY DOES NOT PERMIT A UNIQUE IDENTIFIER AND IS TO BE USED *
* ONLY TO ASSIST IN MAKING A DIRECT *
* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

| SID NO. | LNM | FNM | MI | JSR | S | R | DOB | SSN/MNU | C/ |
|---|---|---|---|---|---|---|---|---|---|
| | BOYD | WILLIE | E | | M | B | 020449 | 490526605 | |

PGREQ:  INPUT:  *** END OF MESSAGE ***

291

# United States Court of Appeals
## FOR THE EIGHTH CIRCUIT

No. 98-3583

| | | |
|---|---|---|
| United States of America, | * | |
| | * | |
| Appellee, | * | |
| | * | Appeal from the United States |
| v. | * | District Court for the Eastern |
| | * | District of Missouri |
| Willie E. Boyd, | * | |
| | * | |
| Appellant. | * | |

Submitted: May 11, 1999
Filed: June 21, 1999

Before LOKEN and MORRIS SHEPPARD ARNOLD, Circuit Judges, and WATERS,[1] District Judge.

292

WATERS, District Judge.

Willie E. Boyd appeals his conviction, after a bench trial, on eight counts of a ten count indictment against him. Boyd contends that the district court [2] erred when it: (1) denied his motions to suppress evidence seized at the time of his arrest and certain

[1]The Honorable H. Franklin Waters, United States District Judge for the Western District of Arkansas, sitting by designation.

[2]The Honorable Stephen N. Limbaugh, United States District Judge for the Eastern District of Missouri.

statements he made after being taken into custody; (2) concluded there was sufficient evidence to convict him of being a felon in possession of guns, of possession of cocaine with the intent to distribute the controlled substance, and of having caused the filing of false currency transaction reports; and (3) improperly allowed joinder of non-related offenses. Finally, Boyd argues he is entitled to reversal of his conviction based on prosecutorial misconduct before and during the trial. For the reasons stated in this opinion, we affirm.

## I. FACTS

After having received information from a confidential informant (CI) that cocaine was being sold in the lobby area of Cole's Motor Lodge in St. Louis, Missouri, Bobby Garrett, a detective with the St. Louis Metropolitan Police Department, conducted a surveillance of the motel on November 6, 1995. After observing seven individuals go to a black door on the west side of the lobby of the motel, knock on the door, and exchange with a black male an undetermined amount of money for an unknown object, Garrett and other officers knocked on the door. The door was opened by a male, the appellant, who later identified himself as Billy Jackson.

Garrett saw through the partially open door a double barreled shotgun in the background and attempted to fully open the door. Jackson a/k/a Boyd slammed the door shut, and Garrett heard footsteps and a thud. When the officers opened the door, Garrett saw a Ruger .357 Magnum handgun on the floor only inches from appellant's feet and a plastic cellophane bag containing a substance which was later determined to be cocaine base. Other weapons were found near where Boyd was standing. At about the same time, Garrett also heard running footsteps and the flushing of a toilet. Garrett then observed an individual, later identified as Larry Hassell, exiting the bathroom.

Appellant was taken into custody and as they left the motel, he locked the front door with a set of keys he had on his person. While at the station, Boyd told Garrett he kept a firearm on his person for protection. Boyd produced a Missouri driver's license in the name of Billy Jackson and was booked under that name.

On July 7, 1995, August 5, 1995, and September 16, 1995, the Casino Queen, a gambling boat that navigates the Mississippi River, filed three currency transaction reports (CTRs) with the Internal Revenue Service (IRS) on behalf of Billy Jackson. A CTR must be filed when there is a cash transaction of $10,000 or more. The original CTR is sent to the IRS and a copy with an attached surveillance photograph of the customer is maintained by the Casino Queen. The Casino Queen also had a photocopy of Billy Jackson's Missouri driver's license that it maintained in its records after the filing of the first CTR on Jackson.

According to logs maintained by the Casino Queen, from March of 1995 through December of 1995, Jackson purchased $148,483.00 in chips, with a cash out of $94,830.00 during this period, for a net loss of $53,653.00 Greg Fisher, an assistant shift manager for the Casino Queen, was familiar with Jackson and identified him as the appellant, Boyd. Fisher filled out the first CTR on Jackson and obtained a copy of his driver's license during the process. (294)

In March of 1996, the United States Marshal for the Eastern District of Missouri received a United States Parole Commission violator's arrest warrant for Boyd who was on parole from an 18 year sentence for possession with intent to distribute cocaine and possession of an unregistered machine gun. Deputy Marshal Luke Adler's investigation revealed that Boyd was living at 2091 Victory Way Lane, which was a home leased by Sharon Troupe, Boyd's girlfriend. On February 1, 1997, Adler received a phone call from a CI informing him that Boyd was at the residence with Troupe. Deputy Adler, Deputy Jeff Graue, and two members of the St. Louis Metropolitan Police Department,

Brian McKee and Joseph Kuster,[3] who were deputized as Special Deputy United States Marshals, went to Troupe's house to arrest Boyd.

Adler and Graue went to the front door while McKee and Kuster positioned themselves near the rear door of the home. Adler and Graue knocked, identified themselves as police, and asked Troupe to open the door. Troupe opened the door and the marshals observed Boyd's son, Muhammad Matteen,[4] nearby. The marshals informed Troupe that they had a warrant for Boyd's arrest and asked where he was. Troupe responded by pointing upstairs and stating, "He's up in his room."

Troupe and Matteen were told to get down on the floor. Graue and Alder then went up the stairs. After Graue ordered him to come out, Boyd came out of the master bedroom with his hands raised wearing only a pair of sweat pants. While Graue handcuffed Boyd, Adler "covered" Boyd and at the same time kept an eye on Troupe and Matteen. Graue then brought Boyd downstairs. Adler went into the bedroom and briefly glanced around to make sure no one else was located in the bedroom. He looked on the side of the bed and into an open closet but did not take time to look under the bed. Adler observed an open black bag on the floor of the closet with one plate of a triple beam scale protruding from it.

295

Adler went downstairs and handcuffed Troupe and Matteen to each other and had them sit on the sofa. Meanwhile McKee and Kuster entered the residence. They were informed the residence had not been secured. McKee performed a "protective sweep" of the lower level while Kuster performed a "protective sweep" of the upper level. Kuster entered the master bedroom and looked under the bed. He then looked in the open closet and saw a gun handle protruding from a towel. Next to the weapon,

---

[3]Kuster's name is spelled in various ways throughout the record.

[4]Matteen's name is spelled in various ways throughout the record.

he observed an open black bag with a scale, some currency, and a clear plastic bag with white powder in it. Kuster placed the gun and the black bag on the bed.

Meanwhile, Adler advised Boyd, Troupe, and Matteen, of their Miranda rights. Alder then took Troupe into the kitchen and asked her permission to search the residence. Troupe signed a consent to search.

The closet in the master bedroom contained only men's clothing. At Boyd's direction, the marshals retrieved clothing and shoes from the closet and socks from a dresser in the bedroom for the defendant. Adler and Graue then transported Boyd to jail. On the way to the jail, Adler talked to Boyd about the gun asking whether he had the gun to use against law enforcement officers. Boyd responded indicating he had the gun for protection. When Adler examined the contents of the black bag at the marshal's office, he found forms of identification bearing the names Billy Jackson, Michael Francis Young, and Willie Boyd. The forms of identification contained different Social Security Numbers for each identity but all contained Boyd's picture. Adler also found keys that were later determined to fit the doors of an address Boyd had listed on his YMCA card and a business he owned and worked at. 2919

On August 7, 1997, a grand jury sitting for the Eastern District of Missouri returned a four-count indictment. Boyd filed a motion to suppress evidence and statements and a motion to dismiss the indictment on September 2, 1997. A hearing was held before the Magistrate Judge[5] on October 6, 1997. A report and recommendation was filed on October 22, 1997, recommending that Boyd's motions be denied.

---

[5]The Honorable Mary Ann Medler, United States Magistrate Judge for the Eastern District of Missouri.

A ten count superseding indictment was filed on December 4, 1997. Count one of the indictment charged Boyd with possession with intent to distribute cocaine. 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C). Counts two and eight charged Boyd with being a felon in possession of a firearm. 18 U.S.C. §§ 922(g) and 924 (c). Counts three and four charged Boyd with using false Social Security Numbers. 42 U.S.C. § 408 (a)(7). Counts five, six, and seven charged Boyd with causing the filing of false currency transaction reports. 31 U.S.C. §§ 5313, 5324 (a)(2) and 5324(C) and Title 31, Code of Federal Regulations, § 103.11. During the trial, count nine of the indictment was dismissed upon motion of the government. Count ten of the indictment was an asset forfeiture count in which forfeiture of the monies involved in the violations of counts five, six, and seven was sought . 18 U.S.C. § 982(a)(1).

On January 14, 1997, Boyd filed another motion to suppress and dismiss the indictment. On January 30, and February 13, 1998, the Magistrate Judge held additional hearings. On March 30, 1998, the Magistrate Judge filed her report recommending that Boyd's motion to suppress evidence and dismiss the indictment be denied. On April 10, 1998, the district court adopted the Magistrate Judge's reports and recommendations. On the same day, Boyd waived his right to a trial by jury.

On April 13, 1998, Boyd's bench trial began and on April 16, 1998, the court returned verdicts of guilty on counts one through eight of the superceding indictment. Boyd appeared for sentencing on October 1 and 2, 1998. The court imposed a sentence of 276 months with a term of supervised release of six years. This appeal followed.



## II. DISCUSSION

## A. The Weapon, Narcotics, and Forms of Identification

Boyd first asserts that the district court erred in denying his motions to suppress evidence obtained during an unconstitutional search. Boyd contends the weapon, narcotics, and forms of identification found by the marshals when they conducted their "protective sweep," should have been suppressed because the marshals actually conducted an illegal search. Specifically, Boyd asserts that: (1) the marshals had no reasonable suspicion that there were persons in the house, other than the ones that were in plain sight, i.e., Boyd, Troupe and Matteen, and, thus, the marshals had no reason to conduct a "protective sweep;" (2) even if the marshals were entitled to a protective sweep, the sweep that they conducted was more than cursory; (3) even when the marshals saw the gun handle sticking out of a towel in the closet, they could not look inside the towel because there was no reasonable suspicion that a person could be inside the towel, and, further, because everyone else was downstairs, the gun did not pose a danger to the officers; and (4) the marshals had no basis to look inside the black bag because there was no reasonable suspicion that a person could be hiding in it. Boyd further asserts that once he had been arrested and taken downstairs the purpose of the officers being at Troupe's house was completed and the officers should have left the house without ever going back upstairs.

We review facts supporting the denial of a motion to suppress evidence for clear error and review the legal conclusions based on those facts de novo. See United States v. Beatty, 170 F.3d 811 (8th Cir. 1999). Under Maryland v. Buie, 494 U.S. 325, 337 (1990), a "protective sweep" is justified in connection with an in-home arrest if an officer reasonably believes that the area to be swept harbors an individual posing a danger to those at the arrest scene. United States v. Cunningham, 133 F.3d 1070, 1073 (8th Cir.), cert. denied, 118 S. Ct. 1823 (1998). "The officer's belief must be based on specific and articuable facts." Id.

At the time of Boyd's arrest, the marshals knew Boyd was on parole for possession of narcotics with intent to distribute and possession of a machine gun. The marshals looked around the bedroom twice. First, Adler quickly glanced around the room before the officers took Boyd, who by then was handcuffed, downstairs. However, Adler's primary attention was divided between keeping an eye on the two individuals downstairs on the floor and covering Graue. Adler did not take time to look in all the places large enough to conceal a person. Second, Kuster looked around the master bedroom, under the bed, and looked into the closet. Clearly a sweep of this room was reasonable as Boyd was arrested as he came out of this room and a cursory visual inspection of the closet was appropriate as a person might have been hiding there. Buie, 494 U.S. at 327.

The fact that Boyd had already been handcuffed and taken to the downstairs area, and Adler had briefly glanced around the room before Kuster performed his visual inspection of the bedroom and closet, does not invalidate the protective sweep. See Buie, 494 U.S. at 334 (Officers are permitted to take steps to ensure their safety both "after, and while making the arrest."). See also United States v. Lucas, 898 F.2d 606 (8th Cir. 1990)(While it is possible for a search incident to an arrest to be "undertaken too long after the arrest and too far from the arrestee's person . . . it does not make sense to prescribe a constitutional test that is entirely at odds with safe and sensible police procedures."). "When the law enforcement officers entered the house . . . they had no way of knowing how many people were there." United States v. Horne, 4 F.3d 579, 586 (8th Cir. 1993). The search was "quick and limited," Buie, 494 U.S. at 336, and initially confined to places large enough to conceal a person. We conclude the protective sweep was proper.

With respect to the black bag, Adler saw a scale he associated with illegal drug use protruding from it. When Kuster looked into the closet, he saw the handle of a gun. Next to the weapon, he observed an open black bag with a scale, some currency, and a clear plastic bag with white powder in it. Because the physical evidence was

discovered in plain view during the course of a valid protective sweep, it was admissible at trial. See Buie, 494 U.S. at 330. See also United States v. Evans, 966 F.2d 398, 400 (8th Cir. 1992)(holding the plain view doctrine permits seizure of items if police are lawfully in position to observe item and if its incriminating character is immediately apparent).

Further, even if we concluded the protective sweep was invalid, the physical evidence would have inevitably been discovered during the search of the house after Troupe's consent was obtained. Under the inevitable discovery doctrine:

> [i]llegally seized evidence may be admitted if the Government proves "by a preponderance of the evidence: (1) that there was a reasonable probability that the evidence would have been discovered by lawful means in the absence of police misconduct, and (2) that the government was actively pursuing a substantial, alternative line of investigation at the time of the constitutional violation."

United States v. Glenn, 152 F.3d 1047, 1049 (8th Cir. 1998)(quoting United States v. Conner, 127 F.3d 663, 667 (8th Cir.1997)). See Nix v. Williams, 467 U.S. 431, 444 & 448 (1984). Here, the Government met its burden of proof on both parts of this test. See Rupp v. Omaha Indian Tribe, 45 F.3d 1241, 1244 (8th Cir. 1995)(We may affirm the judgment of the district court on any ground supported by the record.).

**B. The Statements**

Boyd next argues the district court erred in admitting the statement he made to Adler regarding the gun. This statement was made after Boyd had been arrested and was being transported to jail.

Adler initiated the conversation by telling Boyd that he "had a nice gun." Adler then asked Boyd if the gun was kept "in case of police." Boyd answered that the gun was kept for protection against criminal acts. Boyd asserts that the statement he made while being transported to the jail should have been held inadmissible because it was made during an "interrogation." Although he had been given his Miranda warnings at the house. Boyd states nearly two hours had passed and the warnings should have been repeated before Adler started questioning him. Miranda v. Arizona, 384 U. S. 436 (1966). Boyd asserts that at trial, Adler admitted that when he made his comments to Boyd concerning the gun, he was "directly interrogating him." The statement was used against Boyd in convicting him of being in possession of a firearm in violation of 18 U.S.C. § 922(g)(1).

In this case the district court concluded (1) Boyd understood and voluntarily waived his rights, and (2) the statement was not the result of interrogation. We review the facts supporting the district court's denial of a motion to suppress for clear error, and review de novo the legal conclusions that are based upon those facts. See United States v. Sykes, 144 F.3d 564, 566 (8th Cir. 1998).

301

"The Miranda protections are triggered only when a defendant is both in custody and being interrogated." United States v. Hatten, 68 F.3d 257, 261 (8th Cir. 1995). The Supreme Court defines interrogation as "'express questioning,' or words or actions 'that the police should know are reasonably likely to elicit an incriminating response. . . .'" Id. (quoting Rhode Island v. Innis, 446 U.S. 291, 301 (1980)). Not all statements made while in custody, however, are products of interrogation. See Hatten, 68 F.3d at 262. In Hatten we said that "[a] voluntary statement made by a suspect, not in response to interrogation, is not barred by the Fifth Amendment and is admissible with or without the giving of Miranda warnings." Id. (citing Innis, 446 U.S. at 299).

We agree with Boyd that the statement was the product of custodial interrogation. However, this fact alone does not render the statement inadmissible.

The district court also found that Boyd had waived his Miranda rights. "The determination of whether an accused has knowingly and voluntarily waived his Miranda rights depends on all the facts of each particular case." Stumes v. Solem, 752 F.2d 317, 320 (8th Cir. 1985). The circumstances include "the background, experience, and conduct of the accused." Id. The government has the burden of proving that the defendant "voluntarily and knowingly" waived his rights. Id.

One of the cases relied on by Boyd is United States v. Cody, 114 F.3d 772, 775 (8th Cir. 1997), in which we stated that "[o]nce a person in custody has invoked her right to remain silent, admissibility of any of her subsequent statements depends on whether her 'right to cut off questioning' was 'scrupulously honored.'" In this case, however, Boyd does not allege that he ever explicitly invoked his right to remain silent or asked for an attorney, prior to making the incriminating statements. Boyd does not dispute that he was advised of his Miranda rights, nor does he deny that he understood those rights. Instead, he merely relies on the existence of a one and one-half or two hour delay between his having been given his rights and Adler's questioning. This is insufficient. Adler was not required to readvise Boyd of his Miranda rights under these circumstances and the district court properly admitted the statements.

302

### C. The Entry to Troupe's Home

For his third point, Boyd argues the district court erred in concluding he was a resident of 2091 Victory Way Lane and it was therefore proper for the marshals to enter Troupe's home to arrest him. In Payton v. New York, 445 U.S. 573 (1980), the Supreme Court held that police officers do not need a search warrant to enter the home of the subject of an arrest warrant in order to effectuate the arrest. The Court held that "for Fourth Amendment purposes, an arrest warrant founded on probable cause implicitly carries with it the limited authority to enter a dwelling in which the suspect lives when there is reason to believe the suspect is within." Id., at 603. However, in Steagald v. United States, 451 U.S. 204, 215-16 (1981), the Supreme Court held that

a search warrant must be obtained, absent exigent circumstances or consent, before a police officer can enter a third party's home to search for the subject of an arrest warrant.

"[I]f the suspect is a co-resident of the third-party, then Steagald does not apply, and Payton allows both arrest of the subject of the arrest warrant and use of evidence found against the third party." United States v. Risse, 83 F.3d 212, 216 (8th Cir. 1996) (citations and internal quotation marks omitted). Thus under Payton, "officers executing an arrest warrant [at a third person's home] must have a 'reasonable belief that the suspect resides at the place to be entered . . . and [have] reason to believe that the suspect is present' at the time the warrant is executed." Risse, 83 F.3d at 216. "Whether the police officers possessed a reasonable belief that [Boyd] resided [at 2091 Victory Way Lane] 'is a mixed question of fact and law. The findings with respect to the historical facts are reviewed under the clearly erroneous standard; the ultimate conclusion, however, is subject to de novo review." Risse, 83 F.3d at 215 (citations omitted).

303

Here the evidence supports the marshals' belief that Boyd resided at 2091 Victory Way Lane. They had received information to that effect from a CI. This information was corroborated by interviewing residents in the neighborhood. The evening the warrant was executed, the CI told Adler he had seen Boyd arrive at the residence and that Troupe had just arrived at the home. When the marshals arrived at the home, the hood of Troupe's black Volvo was still warm which confirmed the CI's statement that Troupe had just arrived. In addition, the marshals knew Troupe was Boyd's girlfriend and a car matching the description of the one driven by Boyd was parked outside the residence. We therefore conclude the marshals could lawfully enter the residence with only an arrest warrant. See Risse, 83 F.3d at 217.

Further, when the marshals knocked on the door and told Troupe they had a warrant for Boyd, Troupe looked upstairs, pointed and said, "He's up in his room." It

was therefore reasonable for the marshals to believe they had Troupe's consent to enter the home.

### D. Felon in Possession Charges

With respect to count two of the superceding indictment, which charges that Boyd was in possession of a firearm on February 1, 1997, the day of his arrest at 2091 Victory Way Lane, Boyd asserts that the only evidence the government offered was the fact that he was in the same house in which the gun was found. Boyd contends that he was not in control of the area in which the weapon was found and there was no physical evidence linking him to the gun.

Section 922(g)(1) makes it unlawful for any person who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, "to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce." 18 U.S.C. § 922(g)(1). To convict someone under § 922(g)(1), the government must prove, beyond a reasonable doubt, that: (1) the defendant had previously been convicted of a crime that was punishable by a term of imprisonment exceeding one year; (2) the defendant knowingly possessed a firearm; and (3) the firearm has been in or has affected interstate commerce. United States v. Horsman, 114 F.3d 822, 824 (8th Cir. 1997), cert. denied, 118 S. Ct. 702 (1998).

The first and third elements are undisputed. Boyd's sole argument is that he did not knowingly possess a firearm. When a defendant argues that the evidence introduced at trial was insufficient to sustain a conviction, we view the evidence presented in the light most favorable to the government, and uphold the verdict if there is substantial evidence to support it. United States v. Schubel, 912 F.2d 952, 955 (8th

Cir. 1990). The standard to be applied in determining the sufficiency of the evidence is a strict one, and the finding of guilt should not be overturned lightly. Id.

A conviction for violating § 922(g) may be based on constructive or joint possession of the firearm. United States v. Boykin, 986 F.2d 270, 274 (8th Cir. 1993). "Constructive possession of the firearm is established if the person has dominion over the premises where the firearm is located, or control, ownership, or dominion over the firearm itself." Id. Moreover, "[c]onstructive possession can be established by a showing that the firearm was seized at the defendant's residence." Id.

We hold there was ample evidence to support the district court's finding that Boyd had constructive possession of the gun. Boyd was in close proximity to the firearm at the time of his arrest, there was evidence Boyd was living at Troupe's house, including Troupe's reference to the bedroom as Boyd's room, and the closet in which the weapon was found contained his clothes and his identification. Additionally, Adler testified that Boyd admitted that the gun was his after he was arrested (the statement Boyd asked the court to suppress, infra, based on the lack of Miranda warnings).

305

With respect to count eight of the superceding indictment, which charges that Boyd was in possession of a firearm on November 6, 1995, Boyd also asserts that there was no evidence, other than his mere proximity to the weapon, that showed he was in possession of the firearm. Boyd points out there was testimony at trial that he merely worked at the motel and that the motel's owner kept several firearms in the office. He further argues the evidence as easily pointed to the gun being the property of the person or persons heard running away from the room after the marshals knocked as it did to the gun being his. Relying on United States v. Johnson, 18 F.3d 641, 647 (8th Cir. 1994), Boyd argues proximity to the weapon is simply insufficient to establish that he was in possession of the gun. In short, Boyd's contention is that he merely had the misfortune of standing in the vicinity of the gun when the marshals gained entrance to the room.

We believe the district court correctly found Boyd had "constructive possession" of the gun. Garrett, the officer involved in the incident, testified that before he entered, he heard a thud, which he knew was a gun. Garrett further testified that when he opened the door, the gun was just inches away from Boyd's feet. Finally, Garrett testified that on the way to the police station Boyd indicated he kept a firearm on his person for protection. The district court found Garrett to be a credible witness. We will not disturb this finding. See United States v. Heath, 58 F.3d 1271, 1275 (8th Cir 1995)(The district court's determination of credibility of witness is virtually unreviewable on appeal.).

### E. Possession with Intent to Distribute Cocaine

Boyd asserts that the evidence was insufficient to show that he possessed, either "actually or constructively" the cocaine that was found at Troupe's house. Specifically, Boyd contends that the evidence was insufficient to establish "constructive possession" because "mere physical proximity" to the cocaine is not enough to support a conviction for possession. Boyd further contends that even if the court finds possession, there was not enough evidence to prove intent to distribute. Boyd asserts that the government found 33.72 grams, which is a small amount of cocaine and one could reasonably infer that such an amount was for personal use.

"To establish the offense of possession with intent to distribute cocaine in violation of 21 U.S.C. § 841(a)(1), the government was required to establish that [Boyd] knowingly possessed cocaine with the intent to distribute it." United States v. Johnson, 18 F.3d 641, 647 (8th Cir. 1994) (footnotes omitted). It is clear that "[p]roof of actual possession or constructive possession is sufficient to satisfy the element of knowing possession under section 841(a)(1)." Id. We have said that "knowledge of presence, plus control over the thing is constructive possession." Id.

Appellant relies heavily on the case of United States v. Dunlap, 28 F.3d 823 (8th Cir. 1994), where we found that the evidence was insufficient to support a conviction for possession. In Dunlap, the jury found Eric L. Dunlap and Cornelius B. Coleman guilty of possession with the intent to distribute cocaine. The evidence presented at trial was as follows: two police officers executed a search warrant on Dunlap's apartment and found more than 500 grams of cocaine and other items consistent with the distribution of cocaine. At the time the officers entered the apartment, Coleman was standing in the living room approximately eight feet behind Dunlap.

We stated that "[m]ere presence is not sufficient to support a conviction for possession." Id., 28 F.3d at 826. We noted that "constructive possession should not be lightly imputed to one found in another's apartment or home." Id. (internal quotation marks and citations omitted). In determining whether there is sufficient evidence to support a conviction of contraband "found in a place other than appellant's own home," the court considers the following:

> the closeness of the relationship between the appellant and the person whose actual possession is not disputed, the presence of valuable or important personal items belonging to the appellant, such as documents, in the same location as the drugs, and the degree to which the association between the appellant and the actual possessor was related to criminal activity.

Id.

307

In evaluating the evidence before us in Dunlap, we held that the presence of cocaine and material consistent with distributing cocaine in Dunlap's apartment, without more, was not sufficient to support Coleman's conviction for possession with intent to distribute. Id. See also Johnson, 18 F.3d at 647 (holding that constructive possession is not established where the government fails to establish some nexus between the

defendant and the contraband). We found that Coleman's behavior was more consistent with an intent to purchase cocaine for his own personal use. Dunlap, 28 F.3d at 827.

We once again addressed this issue in United States v. McCracken, 110 F.3d 535 (8th Cir. 1997), a case where we found sufficient evidence of constructive possession to support the defendant's conviction. In that case, the government produced testimony that the defendant lived at the house where the contraband was seized and that the contraband was seized in a bedroom where the defendant had many personal belongings. Id., at 541.

Contrary to Boyd's arguments, we find there is clearly sufficient evidence of constructive possession to support his conviction. There was evidence Boyd was residing at Troupe's residence, Troupe told the marshals that Boyd was upstairs "in his room," Boyd was arrested coming out of the room in which the cocaine was found, Boyd's clothing was found in the room and in the closet in which the cocaine was found, the black bag containing the cocaine had Boyd's social security card and driver's license in it as well as false forms of identification bearing Boyd's picture, and Troupe identified some of the other contents of the bag, such as an electric razor, as items used by Boyd.

308

With respect to the intent to distribute, we have held that "[a]n intent to distribute contraband may be established with circumstantial evidence," United States v. Ojeda, 23 F.3d 1473, 1476 (8th Cir. 1994), "'including such things, as quantity, purity, and presence of firearms, cash, packaging material, or other distribution paraphernalia,'" United States v. Lopez, 42 F.3d 463, 467 (8th Cir. 1994)(quoting United States v. Peters, 912 F.2d 208, 211 (8th Cir. 1990)). Indeed, an "[i]ntent to distribute may be inferred solely from the possession of large quantities of narcotics." Ojeda, 23 F.3d at 1476 (internal quotation marks and citations omitted). "'The underlying theme of such cases is that defendant possessed a quantity which was more than he would possess for his own use.'" Lopez, 42 F.3d at 467 (quoting United States v. Gay, 774 F.2d 368, 372

(10th Cir. 1985)). In this regard, Boyd contends that 33.72 grams is a small amount of cocaine and one can reasonably infer that this amount was for personal use.

We agree with the government that when all the circumstances are considered, an intent to distribute may be inferred from the evidence. We believe the following evidence shows that Boyd possessed the cocaine for distribution and sale: a gun was located right next to the black bag, see United States v. Bryson, 110 F.3d 575, 585 (8th Cir. 1997) (holding that evidence of a loaded firearm next to drug related items is probative of intent to distribute); a triple-beam scale and cutting agents were inside the black bag see United States v. Barnes, 140 F.3d 737, 739 (8th Cir. 1998) (holding that possession of a triple-beam scale is evidence of an intent to distribute); and the black bag contained identification forms bearing aliases, see United States v. Walcott, 61 F.3d 635, 638 (8th Cir. 1995) (holding that the use of aliases and other conduct to hide identification is consistent with involvement in the drug trade).

**F. Causing the Filing of a False Currency Transaction Report**

Boyd asserts there is absolutely no basis for his conviction of structuring in violation of 31 U.S.C. § 5324. Boyd points out that in this case, the currency transaction reports (CTRs) were filled out, just under an alias. Boyd contends that such conduct cannot constitute structuring as structuring implies splitting a large amount of money to avoid the filing of a CTR.

It is clear, however, that the indictment charged Boyd with causing the Casino Queen to file false CTRs in violation of 31 U.S.C. § 5324(a)(2). To prove a violation of § 5324(a)(2) the government must establish that Boyd caused or attempted to cause the Casino Queen to file a CTR that contained a "material misstatement of fact." 31 U.S.C. § 5324(a)(2). Here, Boyd knowingly presented a false Missouri driver's license under the name Billy M. Jackson to the Casino Queen knowing that the information

contained thereon would be used to file CTR's. There was sufficient evidence to sustain the conviction.

### G. Joinder/Severance

Boyd next contends the indictment improperly joined offenses that were not of the same or similar character and spanned too large a period of time. He argues that, under no stretch of the imagination, can the firearms and narcotics charges be described as similar in character. Further, he argues the false identification and false reporting transaction charges were not of the same nature and there was no evidence he used the false identifications to further narcotics sales or that he employed them to purchase firearms. Even if the counts were properly joined, he argues the district court erred when it failed to grant his motion to sever.

We review a decision to join counts into a single indictment de novo. United States v. Davis, 103 F.3d 660, 676 (8th Cir. 1996), cert. denied, 520 U.S. 1258 (1997). Under Rule 8 of the Federal Rules of Criminal Procedure, "[t]wo or more offenses may be charged in the same indictment as long as the offenses charged 'are of the same or similar character or are based on the same act or transaction or on two or more acts or transactions connected together or constituting parts of a common scheme or plan.'" Davis, 103 F.3d at 676. In applying the "same or similar character" standard, the court permits joinder when "' the two counts refer to the same type of offenses occurring over a relatively short period of time, and the evidence as to each overlaps.'" United States v. Lindsey, 782 F.2d 116, 117 (8th Cir. 1986) (quoting United States v. Shearer, 606 F.2d 819, 820 (8th Cir. 1979)). In Lindsey we found that a 17 month time period did not violate the "relatively short period of time" requirement of Shearer. Lindsey, 782 F.2d at 117.

We have recognized that:

> [p]rejudice may result from a possibility that the jury might use evidence of one crime to infer guilt on the other or that the jury might cumulate the evidence to find guilt on all crimes when it would not have found guilt if the crimes were considered separately. On the other hand, a defendant does not suffer any undue prejudice by a joint trial if the evidence is such that one crime would be probative and admissible at the defendant's separate trial of the other crime.

Davis, 103 F.3d at 676.

The government submits that the counts are overlapping because the evidence in each was admissible on the other counts under Rule 404(b). Fed. R. Evid. 404(b). Specifically, it argues: the evidence on each of the gun counts would have been admissible on the other gun count to prove knowledge or lack of mistake; the narcotics found on November 6, 1995, were admissible in the February 1, 1997, case to prove Boyd knowingly possessed the cocaine with the intent to distribute it; the filing of the false CTRs and the use of the Billy Jackson name and other aliases were indicative of drug distribution and to show unexplained wealth; and evidence of gun possession is relevant to proving Boyd knowingly possessed the cocaine with intent to distribute it. Further, it points out the time period from the earliest to the latest offense is less than nineteen months.

(31)

We believe the charges were properly joined. With respect to the drug charges and the weapons violations, both times Boyd was found in constructive possession of weapons there were controlled substances in the immediate vicinity of the drugs. It is therefore "reasonable to assume that the firearm[s] could have been used as a vital part of a plan to possess and distribute drugs." United States v. Gorecki, 813 F.2d 40, 42 (3d Cir. 1987)(drugs and weapons connected temporally and logically). In fact, this court has long recognized the existence of a relationship between narcotics dealing and firearms. See also United States v. Milham, 590 F.2d 717, 721 (8th Cir. 1979). While

we do not hold that narcotics-related and weapons-related charges may always be joined, when the charges are connected temporally or logically they are reasonably joined.

We similarly believe there is a connection between these charges and the remaining charges. We agree that Boyd's maintenance of false forms of identification including Social Security numbers, counts three and four, and his use of a false identity in connection with the filing of the CTRs, counts five, six, and seven, were indicative of drug distribution and showed unexplained wealth. The use of these aliases intertwined and overlapped in each count of the indictment.

Once the counts have been properly joined, the district court may order separate trials of the counts "'[i]f it appears that a defendant or the government is prejudiced by a joinder of offenses.'" Davis, 103 F.3d at 676 (quoting Fed. R. Crim. P. 14). Thus, the question that remains is whether under Rule 14 the district court should have severed the counts. "We reverse a denial of a motion to sever only when the defendant shows an abuse of discretion that resulted in severe prejudice." United States v. Crouch, 46 F.3d 871, 875 (8th Cir. 1995). "Severe prejudice occurs when a defendant is deprived of an appreciable chance for an acquittal, a chance that [the defendant] would have had in a severed trial." United States v. Koskela, 86 F.3d 122, 126 (8th Cir. 1996).

While Boyd acknowledges the fact that this was a bench tried case decreases the potential for the trier of fact to lose its way amidst the varied evidence necessary to prove violations of the separate statutes, he nevertheless contends he was prejudiced by the denial of the severance motion. First, he states that had the false identification counts been tried separately from the firearm and narcotics charges he may have elected to try one or both sets of charges to a jury and may have chosen to testify in his own behalf. Second, Boyd contends there was substantial evidence on the false currency transaction report counts that would not have been presented in the drug/weapons counts and vice versa.

After reviewing Boyd's arguments and the evidence, we cannot conclude denial of the severance motion constituted an abuse of discretion. There is nothing in the record to suggest the trial judge could not keep separate the relevant evidence on each count. Further, as was discussed above, much, if not all, of the evidence on each would have been admissible in a separate trial on the other counts under Rule 404(b). As the evidence would have been admissible in a separate trial for another crime under Rule 404(b), a joint trial does not result in additional prejudice. United States v. Brooks, No. 98-1317, 1999 WL 262057, at *5 (8th Cir. May 4, 1999). Boyd simply has not shown that the district court's refusal to sever the counts caused him prejudice.

## H. Prosecutorial Misconduct

Boyd's final contention of error is that the prosecutor engaged in misconduct before and during the trial. Boyd asserts that prior to trial, he had planned to call as witnesses Larry Hassell and Jane Davis. Shortly before trial, however, the prosecutor advised the trial court that due to information he received, he believed Hassell and Davis should be appointed counsel. Once they were appointed counsel, they pled the Fifth Amendment. Boyd asserts that the government's action violated his Sixth Amendment right of compulsory process by converting willing defense witnesses into non-witnesses. He requests reversal of his conviction.

Boyd also asserts that he is entitled to reversal due to intimidation of witnesses by the prosecution. Namely, Boyd contends that after Gerald Boyd, a defense witness, testified he was arrested by marshals in front of persons in the witness waiting room. Boyd states that another defense witness, Devin Wade,[6] was arrested by state or local authorities during the trial. Boyd contends that these arrests had a "chilling" effect on other witnesses.

---

[6]Appellant and the transcript refer to this witness as Devin Wade. The appellee refers to this witness as Kevin Wade.

Boyd suggests the appropriate standard of review is the abuse of discretion standard. See United States v. Riebold, 135 F.3d 1226, 1230 (8th Cir.), cert. denied, 118 S. Ct. 2356 (1998) (holding that abuse of discretion standard is applied when reviewing a district court's decision not to grant a mistrial). There is no evidence in the record, however, that defense counsel asked for a mistrial. Thus, as government submits, the court reviews only for plain error. See e.g., United States v. Green, 151 F. 3d 1111, 1114 (8th Cir. 1998).

We find no plain error. The prosecutor acted properly in bringing to the district court's attention the possible need to appoint attorneys for Hassell and Davis. It is well settled in this circuit that "the Sixth Amendment right of an accused to compulsory process gives way to the Fifth Amendment privilege of a potential witness to be free of self-incrimination." United States v. Velasquez, 141 F.3d 1280, 1282 (8th Cir.), cert. denied, 119 S. Ct. 223 (1998).

With respect to Boyd's allegation that the prosecutor intimidated witnesses, he has made no showing that the prosecutor was involved in any way with the decisions regarding the location or timing of the arrests of either Gerald Boyd or Devin Wade. Similarly, although Boyd alleges the arrests had a chilling effect on defense witnesses, he has pointed to no witness who refused to testify after the arrests or to any testimony he could not elicit because of these arrests.

## III. CONCLUSION

For the reasons stated, we affirm Boyd's conviction.

A true copy.

ATTEST:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

315

FIN ID DATE MORE

EMPLOYMENT- OCCUPATION DATE
POSITION STATUS
EMPLOYER EIN
STREET
CITY STATE CNTRY
ZIP PHONE MORE

PILOT'S- NUMBER RATING CNTRY
LICENSE FAA REGION ISSUE DATE AIRMAN'S CERT
MEDICAL CERT MEDICAL CERT DATE MORE

15:34 TECS II - MORE ALIAS INFORMATION 022197
TID=
TECS RECORD ID
CREATED BY
=USER= LAST OSBORNE
FIRST WILLIE MIDDLE EDWARD
LAST
FIRST MIDDLE
LAST
FIRST MIDDLE
LAST
FIRST MIDDLE
LAST
FIRST MIDDLE
LAST
FIRST MIDDLE
LAST
FIRST MIDDLE
LAST
FIRST MIDDLE

316

15:35 TECS II - MORE REMARKS 022197
TID=
TECS RECORD ID

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

DATE

317

5008 1081 ~~3506~~ 3506 W

BOYD, WILLIE

3/9

# BUREAU OF ALCOHOL, TOBACCO & FIREARMS

GROUP SUPERVISOR
ST. LOUIS GROUP II
KANSAS CITY FIELD DIVISION
100 SOUTH FOURTH STREET, ROOM 750
ST. LOUIS, MISSOURI 63102-1800
TELEPHONE: (314) 425-5551
FAX: (314) 425-5568

FAX NO: _____ PAGE 1 OF 2 PAGES

TO: FEDERAL RECORDS CENTER

ATTN: _____

SUBJ: REQUEST FOR CASE FILE, RE: WILLIE EDWARD BOYD

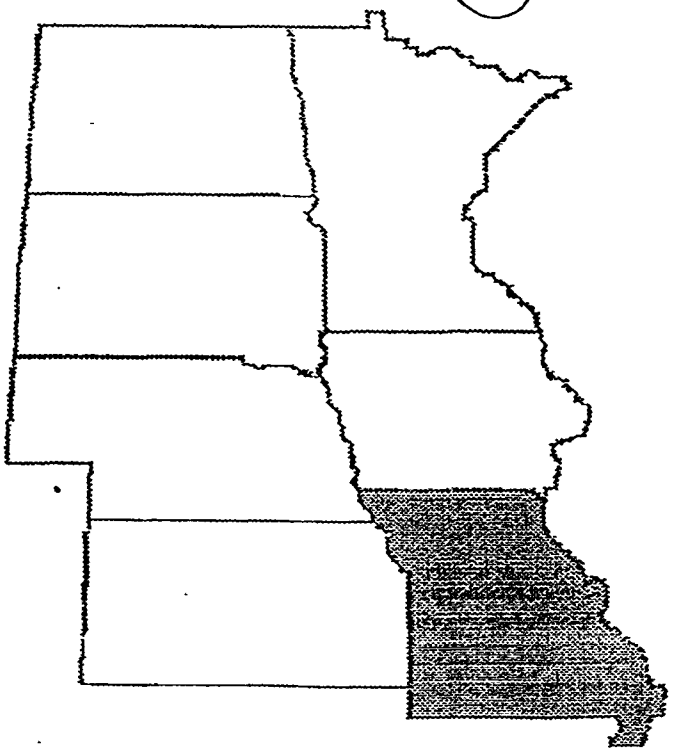
COMMENTS: CALL IF YOU HAVE ANY QUESTIONS. IF YOU NOTIFY ME WHEN RECORD IS LOCATED, I WILL COME PICK IT UP. THANKS FOR YOUR HELP.

DATE: 4/3/07 APPROVED BY: SA

Working for a Sound and Safer America...
Through Innovation and Partnerships

30



# REFERENCE REQUEST—FEDERAL RECORDS CENTERS

NOTE: Use a separate form for each request.

## SECTION I—TO BE COMPLETED BY REQUESTING AGENCY

| ACCESSION NO. | AGENCY BOX NUMBER | RECORDS CENTER LOCATION NUMBER |
|---|---|---|
| | 8 OF 8 | |

DESCRIPTION OF RECORD(S) OR INFORMATION REQUESTED

☐ BOX

☒ FOLDER (include file number and title)

FILE NUMBER 5008 1081 3506W TITLE: BOYD, WILLIE

REMARKS

SUBJECTS IDENTIFIERS:

DOB - 7/11/49

SSN - 490-52-6605

NATURE OF SERVICE

☐ FURNISH COPY OF RECORD(S) ONLY ☐ PERMANENT WITHDRAWAL ☒ TEMPORARY LOAN OF RECORD(S) ☐ REVIEW ☐ OTHER (Specify)

## SECTION II—FOR USE BY RECORDS CENTER

REMARKS

☐ RECORDS NOT IN CENTER CUSTODY ☐ RECORDS DESTROYED

☐ WRONG ACCESSION NUMBER—PLEASE RECHECK

☐ WRONG BOX NUMBER—PLEASE RECHECK

☐ WRONG CENTER LOCATION—PLEASE RECHECK

☐ ADDITIONAL INFORMATION REQUIRED TO IDENTIFY RECORDS REQUESTED

☐ MISSING *(Neither record(s), information nor charge card found in container(s) specified)*

☐ RECORDS PREVIOUSLY CHARGED OUT TO *(Name, agency and date)*:

38

| DATE | SERVICE | TIME REQUIRED | SEARCHER'S INITIALS |
|---|---|---|---|
| | | | |

## SECTION III—TO BE COMPLETED BY REQUESTING AGENCY

NAME OF REQUESTER

TELEPHONE NO. 425-5[illegible] ☐ FTS DATE 4/3/97

RECEIPT OF RECORDS

NAME AND ADDRESS OF AGENCY (Include street address, building, room no. and ZIP code)

BUREAU OF ATF
100 SOUTH 4TH ST, SUITE 750
ST. LOUIS, MO 63102
ATTN S/A

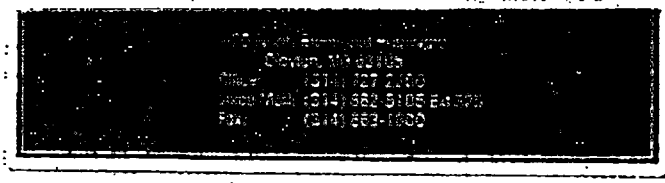
Requester please sign, date and return this form, for file item(s) listed above, ONLY if the block to right has been checked by the Records Center. ☐

SIGNATURE | DATE

NSN 7540-00-682-6423
5011-108

PREVIOUS EDITION USABLE

OPTIONAL FORM 11 (Rev. 7-87)
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
36 CFR 1228.162





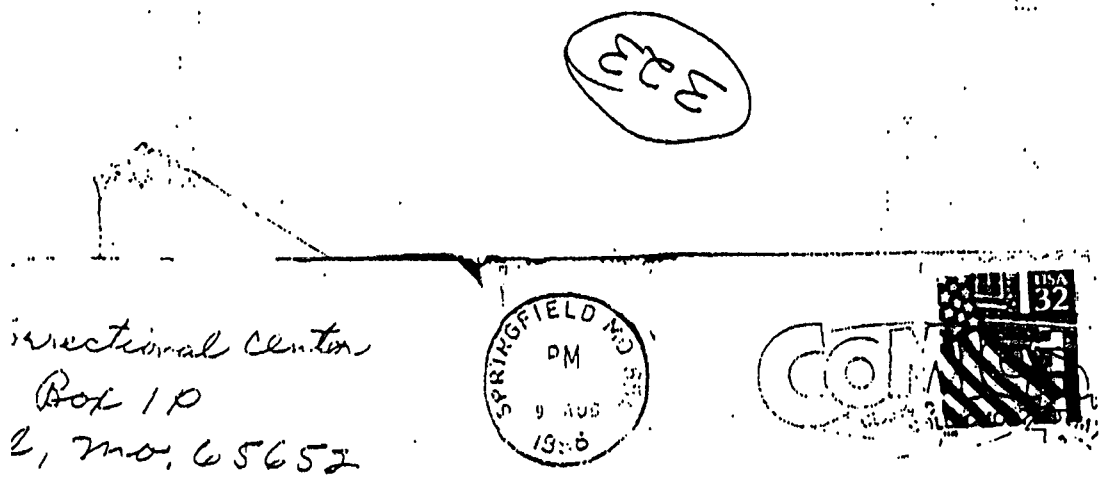
# Steaks, Seafood & Chicken

Wholesaler

"Eat My Meat"
(314) 926-

322

Card issued at:
4177 LINDELL BLVD.
(314) 535-5656
BOYD, WILLIE E
22904120827




rrectional center
Box 10
l, mo. 65652

1403 E. De Soto
St. Louis, mo. 63107

**Ameritech Cellular**
**& Paging Services**
1925 Beltway
St. Louis MO 63114




11/21/96 9:49:13 AM
Invoice: 0220811042371

| | | |
|---|---|---|
| 1 | CellBillPay (314)306-7553-001 | $206.15 |
| 1 | CellBillPay (314)306-8210-001 | $100.00 |
| 1 | Pager Bill (314) 509-2202 | $66.15 |
| 1 | Pager Bill (314) 510-6820 | $29.00 |
| 1 | Pmt-Cash | -$402.00 |
| 1 | Change | -$0.70 |

| | |
|---|---|
| Total | $401.30 |
| Amount Paid | $402.00 |
| Change | $0.70 |

Thank you for choosing
Ameritech!

Ameritech (314) 444-4444 IN ILLINOIS: 1-800-MOBILE 4

# EQUIPMENT/EXCHANGE RECEIPT NO. 242181

| ACCT # | NAME | ADDRESS | CUST. PHONE # | CR. LIMIT | DATE |
|---|---|---|---|---|---|
| | | | | | |

| Old Equipment | | | New Equipment | | |
|---|---|---|---|---|---|
| SERIAL # | PAGER PHONE # | DESCRIPTION | SERIAL # | PAGER PHONE # | DESCRIPTION |
| | | | 00761056XH | 509-2202 | Tahoe Flex |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

IF PAGER IS UNREPAIRABLE, CUSTOMER WILL BE CHARGED THE DEDUCTIBLE, IF APPLICABLE, OR THE RETAIL PRICE OF THE PAGER. REFER TO CONTRACT FOR MORE DETAILS.

*SPECIAL INSTRUCTIONS/COMMENTS* _____

| | | | | | |
|---|---|---|---|---|---|
| ☐ CQAM Swap | ☐ Spare Unit | ☐ Lost | ☐ No Pages | ☐ On/Off Switch | ☐ Display Bad |
| ☐ CQAM Pickup | ☐ Change Equipment | ☐ Found | ☐ Case/Clip Broken | ☐ Reset/Other Button | ☐ Vibe Bad |
| ☐ CQAM Return | ☐ Change Frequency | ☐ Dead | ☐ Beep/Audio Bad | ☐ False | A.M. ☐ Left Mailer |
| | ☐ Eats Batteries | ☐ Water Damage | ☐ Poor Range | Time Delivered ____ | P.M. Agent # ____ |

☐ Cancellation Date ____/____/____ ☐ Other (Describe) _____

FREQUENCY

PRE-PROGRAMMED ☐ YES ☐ NO

PROGRAMMED BY

Customer Signature

P-A(e

CUSTOMER

04/03/02 14:21:59 DEPARTMENT OF REVENUE DRIVERS HISTORY
INDEX RESPONSE

DOR PRIVACY ACT MAY RESTRICT DATA

S OPER NUM NAME S DOB ADDRESS

Judge Weller

326

04/03/02 14:21:46 DEPARTMENT OF REVENUE DRIVERS HISTORY
INDEX RESPONSE

DOR PRIVACY ACT MAY RESTRICT DATA

S OPER NBR NAME S DOB ADDRESS

INPUT:



# Superior Court Of The State Of California In And For The County Of Alameda

Dept. No. 4 Action No. 60595

THE PEOPLE OF THE STATE OF CALIFORNIA WILLIE EDWARD OSBORNE

VS.

Plaintiff Defendant

## VERDICT OF JURY

We, the jury in the above entitled cause, find the defendant, Willie Edward Osbo, guilty of a felony, to wit: a violation of Section 12021 of the Penal Code of California, unlawful and felonious possession of a firearm, as charged in the sixth count of the Indictment.

FILED

MAR 1 1996

Dated March 11, 1996 , Foreman

329

The foregoing instrument is a correct copy of the original on file in this office

702-160

# SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF ALAMEDA

## ABSTRACT OF JUDGMENT
## (Commitment to State Prison)

The People of the State of California, Present:

vs.

WILLIE EDWARD OSBORNE
AHS
Defendant

Present:
Hon. MARTIN N. PULICH
Judge of the Superior Court

Deputy
District Attorney

Esq.
Counsel for Defendant

This certifies that on March 11, 1976 judgment of conviction of the above-named defendant was entered as follows:

(1) Case No. 60595 Count No. six

On his plea of Not Guilty

he was convicted by Verdict of Jury of the offense of a felony, to wit: a violation of Section 12021 of the Penal Code of California as charged in the sixth count of the Indictment.

Defendant's motion for new trial is denied. The Court strikes the two prior convictions as surplusage. Defendant's motion for probation is denied.

with prior felony convictions charged and proved or admitted as follows:

| Date | County and State | Crime | Disposition |
|---|---|---|---|
| | | STRICKEN | |
| | | DELIVER | |
| | | | ALAMEDA COUNTY |
| | | | MARCH |

from Oct. 5, 1975

Defendant has been held in custody for / days as a result of the same criminal act or acts for which he has been convicted.

XX Defendant (was/was not) armed XX with a deadly weapon at the XX time of his commission of the offense or a concealed deadly weapon at the time of his arrest XX within the meaning of Penal XX Code Section 3024. XX

XX (2) Defendant (was/was not) adjudged XX an habitual criminal XX within the meaning of Subdivision (a) or (b) XX of Section 644 of the Penal Code, and the Defendant XX an habitual criminal in accordance with provisions of Subdivision (c) of that section XX

(3) IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the said defendant be punished by imprisonment in state prison of the State of California for the term provided by law and that he be remanded to the Sheriff of the County of Alameda, and by him delivered to the Director of Corrections of the State of California at California Medical Facility at Vacaville, California

It is ordered that sentences shall be served in respect to one another as follows:

* * * * *

and in respect to any prior incompleted sentence(s) as follows:

380

THE COURT MAKES NO ORDER

(4) To the Sheriff of the County of Alameda and to the Director of Corrections at the California Medical Facility at Vacaville, California

Pursuant to the aforesaid judgment, this is to command you, the said Sheriff, to deliver the above named defendant into the custody of the Director of Corrections at the California Medical Facility at Vacaville, California at your earliest convenience.

Witness my hand and seal of said court. April 2, 1976

CRB HEARING 11/2/22

(SEAL)

By puty

(See reverse side for Certification.

State of California,
County of Alameda, } SS.

I do hereby certify the foregoing to be a true and correct abstract of the judgment duly made and entered on the minutes of the Superior Court in the above entitled action as provided by Penal Code Section 1213.

Attest my hand and seal of the said Superior Court this

(SEAL)

2nd day of April 1979

County Clerk and ex officio Clerk of the Superior Court of the State of California in and for the County of Alameda.

MARTIN N. PULICH

Judge of the Superior Court of the State of California in and for the County of Alameda

By ..... , Deputy.

DISTRIBUTION: Signed Original to Sheriff with PO report.
Duplicate filed.

31




The foregoing instrument is a
correct copy of the original
on file in this office.

Clerk, Supreme Court,
Nevada.

By _____ DEPUTY

Document # 333

5 Pages

Exemption (b)(3) w/
Criminal Procedure
Rule 6e

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
100 South Fourth Street, Suite 750
St. Louis, Missouri 63102
November 12, 1997

Alameda County Superior Court
Oakland, California

Attention: Criminal Files

This letter will serve as an official request by the Bureau of Alcohol, Tobacco & Firearms (ATF) for a certified copy of a conviction in the Alameda County Superior Court on the following individual, who is the subject of a federal investigation:

NAME: OSBORNE, Willie E. a/k/a Willie E. Boyd
DOB: 07/11/49
SSN: 490-52-6605
FBI:

Cause Numbers:
60595A, Felon/Addict Possess Firearm, date of arrest-10/05/75.

Please forward the requested conviction, as well as any other felony convictions in the court to:

Special [illegible]
100 South Fourth Street, Suite 750
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-

Sincerely,

334

/ Special Agent in Charge

# BUREAU OF ALCOHOL, TOBACCO & FIREARMS

GROUP SUPERVISOR, ST. LOUIS II
KANSAS CITY FIELD DIVISION
100 SOUTH 4TH STREET, SUITE 750
ST. LOUIS, MISSOURI 63102-1800
TELEPHONE: (314) 425-5551
FAX: (314) 425-5568

FAX NO: 1112-16 PAGE 1 OF 2 PAGES
TO: ALAMEDA CO SUPERIOR COURT

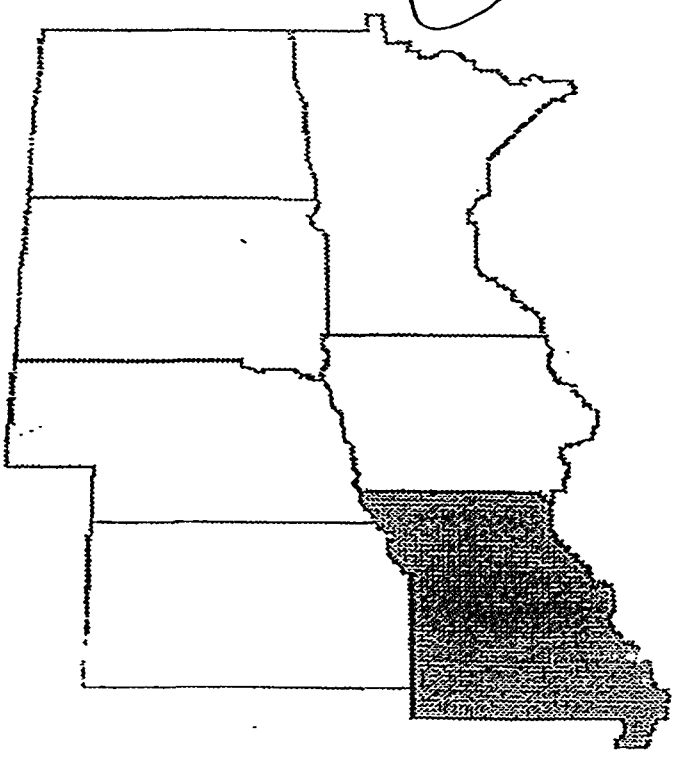
ATTN: CRIMINAL FILES
FROM: SA
SUBJ: CERTIFIED COPY OF CONVICTION, CAUSE # 60595A
COMMENTS: CALL WITH ANY QUESTIONS CONCERNING THIS REQUEST. THANKS FOR YOUR HELP.

DATE: 11/12/97 APPROVED BY

*Working for a Sound and Safer America...*
*Through Innovation and Partnerships*

35



Rank(R) Database Mode
R 1 OF 1 Page

Information Current through 07-31-1996
Database Updated: 06-23-1997
Update Frequency: MONTHLY
Source: St. Louis City Assessor's Office

Real Property Asset Locator information is compiled from several private sources and the most recently available tax assessor's annual tax roll.

| | |
|---|---|
| Name Type: | OWNER |
| Name: | - |
| Property Address: | 1403 DE SOTO AVE E<br>SAINT LOUIS MO 63107-1222 |
| Mailing Address: | 1403 E DE SOTO AVE<br>SAINT LOUIS MO 63107-1222 |
| Land Use: | INDIVIDUAL |
| Lot Depth: | 0. |
| Assessor's Parcel Nbr: | 3360 00 0300 0 |
| Assessed Value Land: | $320 |
| Assessed Value Bldgs: | $3,210 |
| Assessed Value: | $3,530 |
| Tax Amount: | $252.46 |
| | TO ORDER REAL PROPERTY DOCUMENTS CALL 800-777-8567 |

END OF DOCUMENT

Copr. (C) West 1998 No Claim to Orig. U.S. Govt. Works

336

Rank(R) Database Mode
R 4 OF 6 Page

Information Current through 09-20-1996
Database Updated: 06-23-1997
Update Frequency: MONTHLY
Source: St. Louis County Tax Assessor's Off

Real Property Asset Locator information is compiled from several private sources and the most recently available tax assessor's annual tax roll.

| | |
|---|---|
| Name Type: | OWNER |
| Name: | BOYD WILLIE EDWARD |
| Property Address: | 4339 VANDALS DR<br>FLORISSANT MO 63033-6918 |
| Mailing Address: | 4339 VANDALS DR<br>FLORISSANT MO 63033-6918 |
| Land Use: | HOUSEHOLD UNIT |
| Lot Size: | 10,367 |
| Lot Area: | 0.238 |
| Lot Depth: | 125.00 |
| Front Footage: | 94.00 |
| Year Built: | 1966 |
| Number of Units: | 1 |
| Number of Stories: | 1.0 |
| Number of Rooms: | 5 |
| Number of Bedrooms: | 3 |
| Number of Bathrooms: | 2.0 |
| Heating Detail: | WARM AIR |
| Exterior Cover Detail: | FRAME |
| Assessor's Parcel Nbr: | 09G 44 0860 |
| Assessed Value Land: | $2,790 |
| Assessed Value Bldgs: | $11,380 |
| Assessed Value: | $14,170 |
| Tax Amount: | $1,011.31 |
| Transfer Date: | 05- -1994 |
| Sales Amount: | $76,900 |
| Last Sale Book Nbr: | 10194 |
| Last Sale Page Nbr: | 1359 |
| Comments: | Base Floor Area - 1,155<br>TO ORDER REAL PROPERTY DOCUMENTS CALL 800-777-8567 |




END OF DOCUMENT

Copr. (C) West 1998 No Claim to Orig. U.S. Govt. Works

Rank(R) Database Mode
R 3 OF 6 Page

Information Current through 07-31-1996
Database Updated: 06-23-1997
Update Frequency: MONTHLY
Source: St. Louis City Assessor's Office

Real Property Asset Locator information is compiled from several private sources and the most recently available tax assessor's annual tax roll.

| | |
|---|---|
| Name Type: | OWNER |
| Name: | BOYD WILLIE |
| Property Address: | 4161 FLAD AVE |
| | SAINT LOUIS MO 63110-3918 |
| Mailing Address: | 4212 SHAW BLVD 2ND FL |
| | SAINT LOUIS MO 63110-3527 |
| Land Use: | INDIVIDUAL |
| Lot Depth: | 0 |
| Assessor's Parcel Nbr: | 4929 00 0330 0 |
| Assessed Value Land: | $1,410 |
| Assessed Value Bldgs: | $5,640 |
| Assessed Value: | $7,050 |
| Tax Amount: | $504.21 |
| Comments: | Absentee Owner - Yes |
| | TO ORDER REAL PROPERTY DOCUMENTS CALL 800-777-8567 |

END OF DOCUMENT

Copr. (C) West 1998 No Claim to Orig. U.S. Govt. Works

38

Rank(R) R 6 OF 6 | Database MO RPA | Mode Page

Information Current through 07-31-1996
Database Updated: 06-23-1997
Update Frequency: MONTHLY
Source: St. Louis City Assessor's Office

Real Property Asset Locator information is compiled from several private sources and the most recently available tax assessor's annual tax roll.

Name Type: OWNER
Name: WILLIE BOYD

Mailing Address: 1435 E DE SOTO AVE
SAINT LOUIS MO 63107-1222
Land Use: COMPANY
Lot Depth: 0.
Assessor's Parcel Nbr: 3307 00 0180 0
Assessed Value Land: $2,200
Assessed Value Bldgs: $7,700
Assessed Value: $9,900
Tax Amount: $870.40
TO ORDER REAL PROPERTY DOCUMENTS CALL 800-777-8567

END OF DOCUMENT

Copr. (C) West 1998 No Claim to Orig. U.S. Govt. Works

37

Form **4789**
(Rev. September 1991)
Department of the Treasury
Internal Revenue Service

# Currency Transaction Report

► File a separate report for each transaction. ► Please type or print.
► For Paperwork Reduction Act Notice, see page 3.
(Complete all applicable parts—See instructions)

26692

SEE REVERSE
OMB No. 1545-0183
Expires: 9-30-94

1 Check appropriate boxes if: a ☐ amends prior report. b ☐ exemption limit exceeded. c ☐ suspicious transaction.

## Part I Identity of individual who conducted this transaction with the financial institution

2 If more than one individual is involved, see instructions and check here ► ☐

3 Reason items 4–15 below are not fully completed (check all applicable boxes): a ☐ Armored car service (name) ► .....
b ☐ Mail deposit/shipment c ☐ Night deposit or ATM transaction d ☒ Multiple transactions (see instructions)

| 4 Last name | 5 First | 6 Middle initial | 7 Social security number |
|---|---|---|---|
| | | | |

8 Address

9 Occupation, profession or business

| 10 City | 11 State | 12 ZIP code | 13 Country (if not U.S.) |
|---|---|---|---|
| St Louis | MO | | |

15 Method used to verify identity: a Describe identification ► .....
b Issued by ► c Number ►

## Part II Person (see general instructions) on whose behalf this transaction was conducted

16 If this transaction was conducted on behalf of more than one person, see instructions and check here ► ☐

17 This person is an: ☐ individual or ☐ organization 18 If trust, escrow, brokerage, or other 3rd party account, see instructions and check here ► ☐

| 19 Individual's last name or Organization's name | 20 First name | 21 Middle initial | 22 Social security number |
|---|---|---|---|
| | | | |

23 Alien identification: a Describe identification ► ..... Employer identification number
b Issued by ► c Number ►

24 Address (number, street and apt. or suite no.)

25 Occupation, profession, or business

| 26 City | 27 State | 28 ZIP code | 29 Country (if not U.S.) | 30 Date of birth (see instructions) |
|---|---|---|---|---|
| | | | | |

## Part III Types of accounts and numbers affected by transaction (if more than one of the same type, use additional spaces provided below)

31 s ☐ Savings ► ..... t ☐ Securities ► ..... n ☐ CD/Money market ► .....
c ☐ Checking ► ..... l ☐ Loan ► ..... o ☐ Other (specify) ► .....

## Part IV Type of transaction. Check applicable boxes to describe transaction

32 e ☐ Currency exchange (currency for currency)

| 33 CASH IN: | | 34 CASH OUT: | |
|---|---|---|---|
| d ☐ Deposit | f ☐ CD/Money market purchased | c ☐ Check cashed | n ☐ CD/Money market redeemed |
| g ☐ Security purchased | h ☒ For wire transfer | t ☐ Security redeemed | u ☐ From wire transfer |
| p ☐ Check purchased | a ☐ Receipt from abroad | w ☐ Withdrawal | s ☐ Shipment abroad |
| | k ☐ Other (specify) ► | | y ☐ Other (specify) ► |

340

| 35 Total amount of currency transaction (in U.S. dollar equivalent) (always round up) | 36 Amount in item 35 in U.S. $100 bills or higher | 37 Date of transaction (see instructions) |
|---|---|---|
| Cash in $ 10400 .00 | Cash in $ 2000 .00 | 05 17 93 |
| Cash out $ .00 | Cash out $ .00 ☐ Unknown | |

38 If other than U.S. currency is involved, please furnish the following information: a Exchange made ☐ for or ☐ from U.S. currency
b Country ..... c Amount of currency (in U.S. dollar equivalent) $ ..... .00
b Country c Amount of currency (in U.S. dollar equivalent) $ .00

39 If a negotiable instrument or wire transfer was involved in this transaction, please furnish the following information and check this box (see instructions) ► ☒

| a Number of negotiable instruments involved ..... | c Total amount of all negotiable instruments and all wire transfers (in U.S. dollar equivalent) ► $ 10,400 .00 |
|---|---|
| b Number of wire transfers involved 2 | |

## Part V Financial institution where transaction took place

40 a ☐ Bank (enter code number from instructions here) ► [ ]
b ☐ Savings and loan association c ☐ Credit union d ☐ Securities broker/dealer e ☒ Other (specify) ► WESTERN UNION

| 41 Name of financial institution | 42 Address where the transaction occurred (see instructions) | 43 Employer identification number |
|---|---|---|
| | | |

| 44 City | 45 State | 46 MICR number | Social security number |
|---|---|---|---|
| St Louis | MO | | |

48 If this is a multiple transaction, please indicate: a Number of transactions ► 2 c ZIP codes ►
b Number of branches ►

49 Signature of preparer

50 Title OPERATIONS MANAGER

51 Date 05-17-93

Sign Here ►

Type or print preparer's name

52 Approving official

53 Date 5-28-93

54 Telephone number

Cat. No. 42004W

# Multiple Transactions

*(Complete applicable parts below if box 2 or 16 on page 1 is checked)*

**Part I** Continued—Complete if box 2 on page 1 is checked

| 4 Last name | 5 First name | 6 Middle initial | 7 Social security number |
|---|---|---|---|
| | | | : : |

| 8 Address (number, street, and apt. or suite no.) | 9 Occupation, profession, or business |
|---|---|
| | |

| 10 City | 11 State | 12 ZIP code | 13 Country (if not U.S.) | 14 Date of birth (see instructions) |
|---|---|---|---|---|
| | : | | | : : |

15 Method used to verify identity: a Describe identification ▶ .....
b Issued by ▶ c Number ▶

| 4 Last name | 5 First name | 6 Middle initial | 7 Social security number |
|---|---|---|---|
| | | | : : |

| 8 Address (number, street, and apt. or suite no.) | 9 Occupation, profession, or business |
|---|---|
| | |

| 10 City | 11 State | 12 ZIP code | 13 Country (if not U.S.) | 14 Date of birth (see instructions) |
|---|---|---|---|---|
| | : | | | : : |

15 Method used to verify identity: a Describe identification ▶ .....
b Issued by ▶ c Number ▶

**Part II** Continued—Complete if box 16 on page 1 is checked

| 17 This person is an: ☐ individual or ☐ organization | 18 If trust, escrow, brokerage, or other 3rd party account, see instructions and check here ▶ ☐ |
|---|---|

| 19 Individual's last name or Organization's name | 20 First name | 21 Middle initial | 22 Social security number |
|---|---|---|---|
| | | | : : |

| 23 Alien identification: a Describe identification ▶ ..... b Issued by ▶ c Number ▶ | Employer identification number |
|---|---|
| | : |

| 24 Address (number, street, and apt. or suite no.) | 25 Occupation, profession, or business |
|---|---|
| | |

| 26 City | 27 State | 28 ZIP code | 29 Country (if not U.S.) | 30 Date of birth (see instructions) |
|---|---|---|---|---|
| | : | | | : : |

341

| 17 This person is an: ☐ individual or ☐ organization | 18 If trust, escrow, brokerage, or other 3rd party account, see instructions and check here ▶ ☐ |
|---|---|

| 19 Individual's last name or Organization's name | 20 First name | 21 Middle initial | 22 Social security number |
|---|---|---|---|
| | | | : : |

| 23 Alien identification: a Describe identification ▶ ..... b Issued by ▶ c Number ▶ | Employer identification number |
|---|---|
| | : |

| 24 Address (number, street, and apt. or suite no.) | 25 Occupation, profession, or business |
|---|---|
| | |

| 26 City | 27 State | 28 ZIP code | 29 Country (if not U.S.) | 30 Date of birth (see instructions) |
|---|---|---|---|---|
| | : | | | : : |

MOCN: AGENCY ACCOUNT: _____

RECEIVER. _____

FUNDS RECEIVED: CASH ✓ CASHIERS CHECK _____
CASHIERS CHECK # _____
BANK DRAWN ON

CHARGES 400 PRINCIPAL 10000 TIME REC'D 220P TIME XMT'D 230P

DESTINATION _____ New York NY

employment

[redacted] 97 PAGE: 1

[redacted] DATA UNAVAILABLE SOC-SEC-NO

[redacted] MARITAL STATUS: NO.DEP:

[redacted] NAME AND ADDRESS. UAGES QUARTER

TRW

GE 1 DATE 5-05-97 TIME 15:24:26

SS:

YDB:

RPTD: 1-97 TO 4-97

342

PTD: 10-92 TO 11-96

TD: 11-[illegible]

** MORE

[redacted]-92 TO 6 92

---- FACS+ SUMMARY ----

INPUT SSN ISSUED

ND -- EXPERIAN SOCIAL SEARCH

Document # 343
7 Pages
Exemption (b)(2)
and (b)(7)(C)

AXLES: FUEL: GAS CYL: 04 HP:
NER: LAST UPDATE: 12/17/91
DRESS: COUNTY: ST LOUIS COUNTY
IRST ISSUED: SECOND ISSUED: ORIG TRANS: TITLE TRANSFER

INPUT:
5/05/97 15:29:54 DEPARTMENT OF REVENUE VEHICLE REGISTRATION
PRIMARY RESPONSE

ICENSE: LIY: TAB: TYPE:
IN: TITLE:
YR: VMA: VST: STA W VTP: PASSENGER SERIES:
GT/SEAT: AXLES: FUEL: GAS CYL: HP:
WNER: LAST UPDATE: 11/06/93
DDRESS: COUNTY: ST LOUIS COUNTY
IRST ISSUED: SECOND ISSUED: ORIG TRANS: TITLE REG

INPUT:
5/05/97 15:29:00 DEPARTMENT OF REVENUE VEHICLE REGISTRATION
PRIMARY RESPONSE

ICENSE: LIY: TAB: TYPE:
IN: TITLE:
YR: VMA: VST: VTP: PASSENGER SERIES:
GT/SEAT: AXLES: FUEL: GAS CYL: HP:
WNER: LAST UPDATE: 09/14/96
DDRESS: COUNTY: ST LOUIS COUNTY
IRST ISSUED: SECOND ISSUED: ORIG TRANS: TITLE TRANSFER

INPUT:
5/05/97 15:29:06 DEPARTMENT OF REVENUE VEHICLE REGISTRATION
PRIMARY RESPONSE

ICENSE TY: TAB: TYPE: PASSENGER
IN: TITLE: UH696044
YR: VMA: VST: VTP: PASSENGER SERIES:
GT/SEAT: AXLES: FUEL: GAS CYL: HP:
WNER: LAST UPDATE: 04/08/95
DDRESS: COUNTY: ST LOUIS COUNTY
IRST ISSUED: 11/16/93 SECOND ISSUED: ORIG TRANS: TITLE REG

INPUT:
5/05/97 15:29:11 DEPARTMENT OF REVENUE VEHICLE REGISTRATION
B PRIMARY RESPONSE

ICE TY: TAB: TYPE: PASSENGER
IN: TITLE:
YR: VMA: VST: VTP: PASSENGER SERIES:
GT/SEAT: AXLES: FUEL: GAS CYL: HP:
WNER: LAST UPDATE: 11/01/96
DDRESS: COUNTY: ST LOUIS COUNTY
IRST ISSUED: ECOND ISSUED: ORIG TRANS: TITLE REG

INPUT:
5/05/97 15:29:17 DEPARTMENT OF REVENUE VEHICLE REGISTRATION
PRIMARY RESPONSE

ICENSE: TY: TAB: TYPE: PASSENGER
IN: TITLE:
YP VTP: PASSENGER SERIES:
GT/SEAT: AXLES: FUEL: GAS CYL: HP:
WNER: LAST UPDATE: 08/24/96
DDRESS: COUNTY: ST LOUIS COUNTY
IRST ISSUED: SECOND ISSUED: ORIG TRANS: TITLE REG

5/05/97 15:29:22 DEPARTMENT OF REVENUE VEHICLE REGISTRATION
PRIMARY RESPONSE

ICE LIY: TAB: TYPE: PASSENGER
N: TITLE:
R: VST: VTP: PASSENGER SERIES:
JT/SE FUEL: GAS CYL: HP:
NER: LAST UPDATE: 08/24/96
DRESS. COUNTY: ST LOUIS COUNTY
RST ISSUED: SECOND ISSUED: ORIG TRANS: TITLE REG

INPUT:

**********

GENERAL MESSAGE ROUTE SYSTEM
PRINT DATE:05/05/97 TIME:15:31

**********

SSAGE NUMBER: 000751
: BUREAU OF ATF
: TERM
TED : 05/05/97
NDER ORI :

GCH/III SEQUENCE NUMBER

IDENTIFIABLE RECORD IN THE INTERSTATE IDENTIFICATION INDEX (III)
OR PUR/C.NAM/ .SEX RAL .DOB.
ND

**********

END OF MESSAGE

345

5/05/97 15:23:48 DEPARTMENT OF REVENUE DRIVERS HISTORY
INDEX RESPONSE

OPER NUM NAME S DOB ADDRESS

INPUT:

745519 97 0012

REPORT OF INTERVIEW

With
made on June 6, 1997, by Special Agent Bureau of Alcohol, Tobacco & Firearms (ATF).

On June 6, 1997, at 4:31 p.m., Special Agent (SA) and SA contacted at his residence, relative to the ongoing federal investigation of Willie E. BOYD for the violation of federal firearms and narcotics laws.

SA and SA responded to the address on relative to the investigation. had been advised by the Deputy U.S. Marshal (DUSM) that he had just spoken with and that indicated that he was going to leave town. stated that advised him that had contacted relative to the recovery of a firearm from the residence of by St. Louis Metropolitan Police Department Mobile Reserve Officers.

Subsequent to the recovery of the firearms by the officers, made an allegation to the Internal Affairs Division (IAD) of the St. Louis Metropolitan Police Department concerning the loss of $3,500 in U.S. currency during the search warrant execution by the Mobile Reserve Officers.

Upon arrival at SA handed

Assistant United States Attorney (AUSA) Gary M. Gaertner, Jr. who is handling the prosecution of the BOYD case.

SA

neighbor had contacted him and told him that the police were at his house. stated that he came to the house and talked to the police stated that he told the police that if there is something in the house, I don't know nothing about it. stated that the firearm recovered by the police was not his gun. stated that he told the police to check it for fingerprints, my prints aren't on it. does not recall telling the police that the gun belonged to Willie (BOYD).

346

745519 97 0012 -2-

stated that he had maybe $1,200 to $1,500 in cash in the house. but was not sure. stated that the house was owned by stated that he was trying to find out if took the money.

stated that he and went to the Police Department IAD together. stated that picked him up to take him to IAD. stated that she asked about what was missing from the house. stated that he told her that baseball cards were missing from the house.

stated that Willie (BOIB) issing. stated that she estimated that $3,500 was missing and told him that the police probably took it since he couldn't find it.

stated that this is the second incident regarding missing money.

stated that he found the baseball cards and StarWars cards that he thought were missing from the residence.

The foregoing report of interview was reduced to writing following the interview by the undersigned agent.

347

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

March 31, 1997

Mavis Thompson
Clerk of the Circuit Court
Municipal Court Building
1320 Market Street, Room 305
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
100 South Fourth Street, Suite 750
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) 425-55

Sincerely,

Special Agent in Charge

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
100 South Fourth Street, Suite 750
St. Louis, Missouri 63102
March 31, 1997

Mavis Thompson
Clerk of the Circuit Court
Municipal Court Building
1320 Market Street, Room 305
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
100 South Fourth Street, Suite 750
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 James Green at (314) 425-5

Sincerely,

Special Agent in Charge

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
100 South 4th Street, Suite 750
St. Louis, Missouri 63102
December 15, 1997

COPY

CE:MO:SN

MEMORANDUM TO: Special Agent in Charge
Kansas City Field Division

THRU: Group Supervisor
St. Louis II F.O.

FROM: SA
St. Louis II F.O.

SUBJECT:

the United States Attorney, Eastern District of Missouri, 1114 Market Street, St. Louis, Missouri,

Assistant United States Attorney (AUSA) Gary Gaertner, AUSA Toni Decker,
Special Agent
Federal Bureau of Investigation (FBI)

Louis I F.O.

1-70

350

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL TOBACCO AND FIREARMS
100 South 4th Street, Suite 750
St. Louis, Missouri 63102
December 10, 1997

COPY

CE:MO:SN:

MEMORANDUM TO: Special Agent in Charge
Kansas City Field Division

THRU: Group Supervisor
St. Louis II F.O.

FROM: SA
St. Louis II F.O.

SUBJECT:

ADDITIONAL INFORMATION

. Special Agent (SA)

Willie Boyd.

351

1-68

COPY

100 South 4th Street, Suite 750
St. Louis, Missouri 63102
December 4, 1997

CE:MO:SN:

MEMORANDUM TO: Special Agent in Charge
Kansas City Field Division

THRU: Group Supervisor
St. Louis II F.O.

FROM: SA
St. Louis II F.O.

SUBJECT:

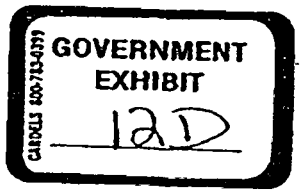
Willie E. BOYD, IN 745519 97 0012,

Special Agent (SA)

1-66

352

DEPARTMENT OF CORRECTIONS
Legal Processing Unit
P.O. Box 942883
Sacramento, CA 94283-0001




November 24, 1997

Bureau of Alcohol, Tobacco and Firearms
100 South Fourth Street, Suite 750
St. Louis, Missouri 63102-1800

Attention: Special Ager

Dear

Re: **OSBORNE, Willie Edward**
CDC No.:
Discharged: **03-08-1979**

In compliance with your request, we are forwarding certified copies of our records pertaining to the above-named individual.

If we may be of further assistance, please feel free to contact us again.

Sincerely,

Correctional Case Records Administrator

Attachments

2-5

353

THE STATE OF CALIFORNIA
COUNTY OF SACRAMENTO

I, _____ HEREBY CERTIFY That I am a Correctional Case Records Administrator for the California Department of Corrections in the State of California, situated in the County and State aforesaid. That in my legal custody as such officer are the original files and records of persons heretofore committed to said Department: and that the ( ) photograph ( ) fingerprints and (X) commitments attached hereto are copies of the original records of OSBORNE, WILLIE EDWARD CDC: _____ DISCHARGED: 3-8-1979 person heretofore committed to the California Department of Corrections and who served a term of imprisonment therein; that I have compared the attached copies with their respective originals now on file in my office and each thereof contains, and is a full, true, and correct transcript and copy from its said original.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 24 day of NOVEMBER, 1997.

_____
Correctional Case Records Administrator

2-7

THE STATE OF CALIFORNIA
COUNTY OF SACRAMENTO

I, THOMAS M. CECIL, PRESIDING JUDGE OF THE SUPERIOR COURT, do hereby Certify that _____, Correctional Case Records Administrator, California Department of Corrections, whose name is subscribed to the above Certificate, was at the date thereof, and is now a Correctional Case Records Administrator of the California Department of Corrections, and is the legal keeper and the officer having the legal custody of the original records of the said California

FINGERPRINT CLASS
PO 10 05 16 17
PM 03 03 10 13

1-ARRESTED OR RECEIVED 1966/08/02
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE 1-SUSP ROB

COURT-
DISPOSITION-
CHARGE-SUSP ROB
SENTENCE-

WAR NOT APL

2-ARRESTED OR RECEIVED 1966/08/22
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE 1-ATT BURG

COURT-
DISPOSITION-
CHARGE-ATT BURG
SENTENCE-
REFUSE

3-ARRESTED OR RECEIVED 1966/09/02
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE 1-SUSP ROB

COURT-
DISPOSITION-
CHARGE-SUSP ROB
SENTENCE-
WAR NOT APL REL CASE WAS NOLLE PROSEQUI ON AR

1-4+5

4-ARRESTED OR RECEIVED 1966/09/22
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE 1-ARMED ROB

5-ARRESTED OR RECEIVED 1966/12/19
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE 1-ROB

6-ARRESTED OR RECEIVED 1967/07/25
AGENCY-JEFF CITY CORR CTR JEFFERSON CITY
AGENCY CASE-14008
CHARGE 1-ROB 1ST DEG B/M OF D & DW

COURT-

DISPOSITION-
CHARGE-ROB 1ST DEG B/M OF D & DW
SENTENCE-

355

ARRESTED OR RECEIVED 1970/04/18
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979 NAME USED-BOYD,WILLIE E
CHARGE 1-CCW-GUN-DISCH FIREARMS IN CITY

DISPOSITION-
CHARGE-CCW-GUN-DISCH FIREARMS IN CITY
SENTENCE-
REL CLOSED RECORD

-ARRESTED OR RECEIVED 1970/10/16
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979 NAME USED-BOYD,WILLIE E
CHARGE 1-SUSP VIOL MO NARC LAW

COURT-
DISPOSITION-
CHARGE-SUSP VIOL MO NARC LAW
SENTENCE-
WAR NOT APL

-ARRESTED OR RECEIVED 1970/12/15
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-MUR
CHARGE 2-ROB
CHARGE 3-SAFEKEEPING

COURT-
DISPOSITION-
CHARGE-MUR

SENTENCE-
NOLLE PROSEQUI
DISPOSITION-
CHARGE-ROB
SENTENCE-
NOLLE PROSEQUI

1-5+6

0-ARRESTED OR RECEIVED 1971/09/16
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-BURG & STLG 2 CTS
CHARGE 2-POSS NARC NARC PARAPHERNALIA
CHARGE 3-STL & BURG-ADD CHRG

1-ARRESTED OR RECEIVED 1972/02/10
AGENCY-JEFF CITY CORR CTR JEFFERSON CITY
AGENCY CASE-21806 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-BURG 2ND DEG
CHARGE 2-STLG FROM DWELLING HOUSE

COURT-
DISPOSITION-
CHARGE-BURG 2ND DEG
SENTENCE-
PG 5 YRS
DISPOSITION-
CHARGE-STLG FROM DWELLING HOUSE
SENTENCE-
PG 5 YRS CC

3 5 b

[illegible]

AGENCY CASE-105979 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-MURDER-3CTS

CHARGE 2-CCW-GUN

CHARGE-CCW-GUN
SENTENCE-
PG SENT TO 3 YRS MO CORR-CONCURRENT SENT

13-ARRESTED OR RECEIVED 1979/09/11
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-CCW-GUN-F
CHARGE 2-VIO MO CON SUB LAW POSS COCAINE-F
CHARGE 3-FTA-F

14-ARRESTED OR RECEIVED 1980/06/12
AGENCY-JEFF CITY CORR CTR JEFFERSON CITY
AGENCY CASE-39079 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-CCW
CHARGE 2-FELONIOUS FTA ON BAIL BOND CCW
CHARGE 3-ILLEGAL POSS OF SCHEDULE II CON SUB

COURT-
DISPOSITION-
CHARGE-CCW
SENTENCE-
PG 3 YRS COND REL 5-15-82
DISPOSITION-
CHARGE-FELONIOUS FTA ON BAIL BOND CCW
SENTENCE-
PG 3 YRS CC COND REL 5-15-82
DISPOSITION-
CHARGE-ILLEGAL POSS OF SCHEDULE II CON SUB
SENTENCE-

PG 3 YRS CC COND REL 5-15-82

15-ARRESTED OR RECEIVED 1981/10/21
AGENCY-DEA SAINT LOUIS
AGENCY CASE-IF-82-X003 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-POSS COCAINE W/INT TO DIST

1-6+7

COURT-
DISPOSITION-
CHARGE-POSS COCAINE W/INT TO DIST
SENTENCE-
144 MOS PRISON

357

16-ARRESTED OR RECEIVED 1981/10/22S(DATE FP)
AGENCY-USM SAINT LOUIS
AGENCY CASE-18498044 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-POSS W/INT TO DIST COCAINE

COURT-
DISPOSITION-
CHARGE-POSS W/INT TO DIST COCAINE
SENTENCE-
AGGREGATE 18-00-00 FOLLOWED BY A SPT OF 6 YRS

17-ARRESTED OR RECEIVED 1982/05/13
AGENCY-US PENITENTIARY LEAVENWORTH
AGENCY CASE-[illegible] NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-[illegible]
CHARGE 2-POSS OF A FIREARM

COURT-
DISPOSITION-
CHARGE-POSS W/I TO DIST COCAINE

/ UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE
DISPOSITION-
CHARGE-POSS OF A FIREARM
SENTENCE-
18 YRS EASTERN DIST OF MO 6-21-89 PAR / UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE

SUPERVISION OR CUSTODY-
AGENCY-US PROBATION SAINT LOUIS
AGENCY CASE-
1989/06/21 STATUS-PAROLE/SPT FORM COMM PROG OFFICE US BUREAU OF PRISONS SEATTLE,WA
FLASH EXPIRES-2005/10/20

18-ARRESTED OR RECEIVED 1988/02/20
AGENCY-STATE REFORMATORY MONROE
AGENCY CASE-938253 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-FED BORDER CNTRLD SUBST CTS I, II
CHARGE 2-POSS OF FIREARM CT III

COURT-
DISPOSITION-
CHARGE-FED BORDER CNTRLD SUBST CTS I, II
SENTENCE-
/ UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE
DISPOSITION-
CHARGE-POSS OF FIREARM CT III
SENTENCE-
6 YRS CS / UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE

19-ARRESTED OR RECEIVED 1991/04/18
AGENCY-USM SAINT LOUIS
AGENCY CASE-18498-044 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-PAROLE VIOLATION

20-ARRESTED OR RECEIVED 1993/04/29
AGENCY-USM SAINT LOUIS
AGENCY CASE-18498-044 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-PAROLE VIOLATION

1-7+8

21-ARRESTED OR RECEIVED 1993/08/27
AGENCY-FEDERAL CORR INST ASHLAND
AGENCY CASE-18498044 NAME USED-BOYD,WILLIE
CHARGE 1-PV POSS W/I D COC POSS UNREGISTERED FIREARM

358

COURT-
DISPOSITION-
CHARGE-POSS W/I TO DISTRIBUTE COCAINE
SENTENCE-
/ UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE
DISPOSITION-
CHARGE-POSSESSION OF UNREGISTERED FIREARM
SENTENCE-
04-23-82 18 YEARS PAROLE / UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE

SUPERVISION OR CUSTODY
AGENCY CASE
1994/07/28 STATUS-PAROLE

FLASH EXPIRES-1999/10/21

AGENCY CASE-105979 NAME USED-JACKSON,BILLY M
CHARGE 1-POSS C/S F 3532
CHARGE 2-UUW F 5299

23-ARRESTED OR RECEIVED 1997/02/03
AGENCY-USM SAINT LOUIS
AGENCY CASE-19498044 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-PAROLE VIOLATION

24-ARRESTED OR RECEIVED 1997/03/03
AGENCY-FED CORR INST GREENVILLE
AGENCY CASE-18498044 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-POSS WITD COCAINE-CT 1 PAROLE VIOLATOR
CHARGE 2-POSS WITD HEROIN CT 2 PAROLE VIOLATOR
CHARGE 3-POSS OF UNREGISTERED FIREARM-CT3 PV

COURT-
DISPOSITION-
CHARGE-POSS WITD COCAINE-CT 1 PAROLE VIOLATOR
SENTENCE-
6 YEARS/3 YEARS SPECIAL PAROLE
DISPOSITION-
CHARGE-POSS WITD HEROIN-CT 2 PAROLE VIOLATOR
SENTENCE-

CONSECUTIVE TO CT 1 6 YEARS/3 YEARS SPECIAL PAROLE
DISPOSITION-
CHARGE-POSS OF UNREGISTERED FIREARM-CT3 PV
SENTENCE-
6 YEARS CONSECUTIVE TO CT 2

25-ARRESTED OR RECEIVED 1997/08/16
AGENCY-USM SAINT LOUIS
AGENCY CASE-18498044 NAME USED-BOYD;WILLIE EDWARD
CHARGE 1-FRAUD-SOCIAL SECURITY MISUSE
CHARGE 2-FELON POSS FIREARM
CHARGE 3-SELL,DIST COCAINE

ADDITIONAL CRIMINAL HISTORY RECORD INFORMATION IS MAINTAINED BY THE FOLLOWING STATE(S):
CALIFORNIA - STATE ID

ALL ARREST ENTRIES CONTAINED IN THIS FBI RECORD ARE BASED ON FINGERPRINT COMPARISONS AND PERTAIN TO THE SAME INDIVIDUAL.

THE USE OF THIS RECORD IS REGULATED BY LAW. IT IS PROVIDED FOR OFFICIAL USE ONLY AND MAY BE USED ONLY FOR THE PURPOSE REQUESTED.
END OF RECORD

1-8+9

**********
* END OF MESSAGE *
**********

359

**********

GENERAL MESSAGE ROUTE SYSTEM
PRINT DATE:05/06/97 TIME:10:24

**********

ESSAGE NUMBER: 000391
O : BUREAU OF ATF
ROM : TERM
ATED : 05/06/97
ENDER ORI :

CH/III SEQUENCE NUMBER

TN/SA GREEN
HIS RECORD IS BASED ONLY ON THE FBI NUMBER IN YOUR REQUEST
ECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY
HOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

- FBI IDENTIFICATION RECORD -

HEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE
IRECTLY WITH THE AGENCY THAT FURNISHED THE DATA TO THE FBI.

| AME | | | FBI NO. | | DATE REQUESTED |
|---|---|---|---|---|---|
| SBORNE,WILLIE EDWARD | | | | | 05/06/97 |
| EX | RACE | BIRTH DATE | HEIGHT | WEIGHT | EYES | HAIR | BIRTH PLACE |
| | B | 07/11/49 | 508 | 134 | BRO | BLK | MISSOURI |

INGERPRINT CLASS
0 10 05 16 17
1 03 03 10 13

ARRESTED OR RECEIVED 08/02/66
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE 1-SUSP ROB

1-4+5

COURT-
DISPOSITION-
CHARGE-SUSP ROB
SENTENCE-

WAR NOT APL

360

ARRESTED OR RECEIVED 08/22/66
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE 1-ATT BURG

COURT
DISPOSITION-
CHARGE-ATT BURG
SENTENCE-

AGENCY CASE-105979
CHARGE 1-SUSP ROB

COURT-
DISPOSITION-
CHARGE-SUSP ROB
SENTENCE-
WAR NOT APL REL CASE WAS NOLLE PROSEQUI ON AR

-ARRESTED OR RECEIVED 09/22/66
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE 1-ARMED ROB

ARRESTED OR RECEIVED 12/19/66
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE 1-ROB

-ARRESTED OR RECEIVED 07/25/67
AGENCY-JEFF CITY CORR CTR JEFFERSON CITY
AGENCY CASE-14008
CHARGE 1-ROB 1ST DEG B/M OF D & DW

COURT-
DISPOSITION-

CHARGE-ROB 1ST DEG B/M OF D & DW
SENTENCE-
PG 5 YRS ST LOUIS CITY

-ARRESTED OR RECEIVED 04/18/70
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979 NAME USED-BOYD,WILLIE E
CHARGE 1-CCW-GUN-DISCH FIREARMS IN CITY

COURT-
DISPOSITION-
CHARGE-CCW-GUN-DISCH FIREARMS IN CITY
SENTENCE-
REL CLOSED RECORD

-ARRESTED OR RECEIVED 10/16/70
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979 NAME USED-BOYD,WILLIE E
CHARGE 1-SUSP VIOL MO NARC LAW

COURT-
DISPOSITION-
CHARGE-SUSP VIOL MO NARC LAW
SENTENCE-
WAR NOT APL

1-5+6 361

-ARRESTED OR RECEIVED 12/15/70
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-MUR
CHARGE 2-ROB
CHARGE 3 SAFEKEEPING

COURT-
DISPOSITION-
CHARGE-MUR

-ARRESTED OR RECEIVED 10/21/81
AGENCY-DEA SAINT LOUIS
AGENCY CASE-IF-82-X003 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-POSS COCAINE W/INT TO DIST

COURT-
DISPOSITION-
CHARGE-POSS COCAINE W/INT TO DIST
SENTENCE-
144 MOS PRISON

-ARRESTED OR RECEIVED 10/22/81(DATE ?)
AGENCY-USM SAINT LOUIS
AGENCY CASE-18498044 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-POSS W/INT TO DIST COCAINE

COURT-
DISPOSITION-
CHARGE-POSS W/INT TO DIST COCAINE
SENTENCE-
AGGREGATE 18-00-00 FOLLOWED BY A SPT OF 6 YRS

-ARRESTED OR RECEIVED 05/13/82
AGENCY-US PENITENTIARY LEAVENWORTH
AGENCY CASE-18498-044 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-POSS W/I TO DIST COCAINE
CHARGE 2-POSS OF A FIREARM

COURT-
DISPOSITION-
CHARGE-POSS W/I TO DIST COCAINE
SENTENCE-
/ UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE

DISPOSITION-
CHARGE-POSS OF A FIREARM
SENTENCE-
18 YRS EASTERN DIST OF MO 6-21-89 PAR / UNABLE TO ASSOCIATE
DISPOSITION WITH CHARGE

1-7+c

SUPERVISION OR CUSTODY-
AGENCY-US PROBATION SAINT LOUIS
AGENCY CASE-
06/21/89 STATUS-PAROLE/SPT FORM COMM PROG OFFICE US BUREAU
PRISONS SEATTLE,WA
FLASH EXPIRES-10/20/05

ARRESTED OR RECEIVED 02/20/88
AGENCY-STATE REFORMATORY MONROE
AGENCY CASE-938253 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-FED BORDER CNTRLD SUBST CTS I, II
CHARGE 2-POSS OF FIREARM CT III

363

COURT-
DISPOSITION-
CHARGE-FED BORDER CNTRLD SUBST CTS I, II
SENTENCE-
/ UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE
DISPOSITION-

UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE

9-ARRESTED OR RECEIVED 04/18/91

AGENCY-USM SAINT LOUIS
AGENCY CASE-18498-044 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-PAROLE VIOLATION

0-ARRESTED OR RECEIVED 06/29/93
AGENCY-USM SAINT LOUIS
AGENCY CASE-18498-044 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-PAROLE VIOLATION

21-ARRESTED OR RECEIVED 08/27/93
AGENCY-FEDERAL CORR INST ASHLAND
AGENCY CASE-18498044 NAME USED-BOYD,WILLIE
CHARGE 1-PV POSS W/I D COC POSS UNREGISTERED FIREARM

COURT-
DISPOSITION-
CHARGE-POSS W/I TO DISTRIBUTE COCAINE
SENTENCE-
/ UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE
DISPOSITION-
CHARGE-POSSESSION OF UNREGISTERED FIREARM
SENTENCE-
04-23-82 18 YEARS PAROLE / UNABLE TO ASSOCIATE DISPOSITION WITH
CHARGE

SUPERVISION OR CUSTODY-
AGENCY-US PROBATION SAINT LOUIS
AGENCY CASE-
07/28/94 STATUS-PAROLE
FLASH EXPIRES-10/21/99

-ARRESTED OR RECEIVED 11/06/95
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979 NAME USED-JACKSON,BILLY M
CHARGE 1-POSS C/S F 3532
CHARGE 2-UUW F 5299

DITIONAL CRIMINAL HISTORY RECORD INFORMATION IS MAINTAINED BY
LLOWING STATE(S):
ALIFORNIA - STATE ID,

L ARREST ENTRIES CONTAINED IN THIS FBI RECORD ARE BASED ON
INGERPRINT COMPARISONS AND PERTAIN TO THE SAME INDIVIDUAL.

E USE OF THIS RECORD IS REGULATED BY LAW. IT IS PROVIDED FOR
FICIAL USE ONLY AND MAY BE USED ONLY FOR THE PURPOSE REQUESTED.
ND OF RECORD

1-8+9

**********
END OF MESSAGE
**********

364

15:33 TECS II - PERSON SUBJECT DISPLAY (1 OF 3) 022197
TID=
TECS RECORD ID ARMED & DANGEROUS ENTRY 082682 UPDATE 082682
NAME- LAST BOYD PHYSICAL IDENTIFIERS
FIRST WILLIE MID EDWARD RACE B SEX M HAIR BK EYES BR
IMAGE ALIAS M NICKNAME STC HT 511 WT 160 ENGLSH
PERSONAL- S/M/T MORE
DOB 0711 49 POB- CNTRY US ST MO CITY CTZN MORE
SSN 490526605 MORE AFN MORE RES EXC/SITE MORE
PPN TYPE CNTRY ISSUED EXPIRES MORE
ADDRESS- DATE STREET 4652 PAGE AVE APT
CITY ST LOUIS STATE MO CNTRY US ZIP TYPE MORE
CONTACT- ALCOHOL TOBACCO & FIREARMS PHONE 3144255560
OWNER CASE NBR 500810813506W01 MORE
PRIMARY 1 ARMED & DANGEROUS START STOP ORY NOTIFY O
STATUS SO SUSPECT, OTHER CAT
REMARKS- DATE 082682 MORE M
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
NO SUB-RECORDS

15:33 TECS II - PERSON SUBJECT DISPLAY (2 OF 3) 022197
TID=
TECS RECORD ID ENTRY 082682 UPDATE 082682
DRIVER'S LICENSE- NUMBER STATE CNTRY TYPE
ISSUED EXPIRES RESTRICTIONS
STATUS MORE

PHONE NBR- INTL PREFIX TYPE DATE MORE
MISC NBR- 122481 TYPE IS INVESTIGATION STATUS MORE M

CRIMINAL AFFILIATION DATE MORE
FINGERPRINT CLASS- RIGHT LEFT

SPOUSE- LAST MORE
FIRST MID

WARRANT- OFFENSE TYPE DATE AGENCY
WARRANT TYPE DATE NUMBER
CITY STATE MORE
ATF PROFILE CODES

1-90

15:33 TECS II - PERSON SUBJECT DISPLAY (3 OF 3) 022197
TID=
TECS RECORD ID ENTRY 082682 UPDATE 082682
BAGGAGE DEC- DATE TIME SITE
(CF6059) INSPECTOR MORE

FINANCIAL- INSTITUTION

365

14:05 TECS II - PERSON SUBJECT DISPLAY (1 OF 3) 040197

TID=
TECS RECORD ID ARMED & DANGEROUS ENTRY 082682 UPDATE 0826
NAME- LAST BOYD PHYSICAL IDENTIFIERS
FIRST WILLIE MID EDWARD RACE B SEX M HAIR BK EYES B
IMAGE ALIAS M NICKNAME STC HT 511 WT 160 ENGLS
PERSONAL- S/M/T MORE
DOB 0711 49 POB- CNTRY US ST MO CITY CTZN MORE
SSN 490526605 MORE AFN MORE RES EXC/SITE MORE
PPN TYPE CNTRY ISSUED EXPIRES MORE
ADDRESS- DATE STREET 4652 PAGE AVE APT
CITY ST LOUIS STATE MO CNTRY US ZIP TYPE MORE
CONTACT- ALCOHOL TOBACCO & FIREARMS PHONE 31442555
OWNER CASE NBR 500810813506W01 MORE
PRIMARY 1 ARMED & DANGEROUS START STOP QRY NOTIFY
STATUS SO SUSPECT, OTHER CAT
REMARKS- DATE 082682 MORE
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
NO SUB-RECORDS

14:06 TECS II - MORE REMARKS 040197

TID=
TECS RECORD ID

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

1-90

DATE

36d

MORE

14:08 TECS II - PERSON SUBJECT DISPLAY (2 OF 3) 040197

TID=
TECS RECORD ID ENTRY 082682 UPDATE 082682
DRIVER'S LICENSE- NUMBER STATE CNTRY TYPE

ISSUED EXPIRES RESTRICTIONS
STATUS MORE

PHONE NBR- INTL PREFIX TYPE DATE MORE
MISC NBR- 122481 TYPE IS INVESTIGATION STATUS MORE

CRIMINAL AFFILIATION DATE MORE
FINGERPRINT CLASS- RIGHT LEFT

SPOUSE- LAST MORE
FIRST MID

WARRANT- OFFENSE TYPE DATE AGENCY
WARRANT TYPE DATE NUMBER
CITY STATE MORE
ATF PROFILE CODES

14:06 TECS II - PERSON SUBJECT DISPLAY (3 OF 3) 040197
TID=
TECS RECORD ID ENTRY 082682 UPDATE 0826
BAGGAGE DEC- DATE TIME SITE
(CF6059) INSPECTOR MORE

FINANCIAL- INSTITUTION
INFO BRANCH
ACCOUNT TYPE ACCOUNT NUMBER
FIN ID DATE MORE

EMPLOYMENT- OCCUPATION DATE
POSITION STATUS
EMPLOYER EIN
STREET
CITY STATE CNTRY
ZIP PHONE MORE

PILOT'S- NUMBER RATING CNTRY
LICENSE FAA REGION ISSUE DATE AIRMAN'S CERT
MEDICAL CERT MEDICAL CERT DATE MORE

1-93

367

1-4

05/06/97 10:25:02 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FULL MSG
MESSAGE DATED 97/05/06 10:24 NO 000391 FROM USER

Page 01
NC 1 F 1

FROM: TERM
TO: BUREAU OF ATF
RESP:

CCH/III SEQUENCE NUMBER

348

ATN/SA GREEN
THIS RECORD IS BASED ONLY ON THE FBI NUMBER IN YOUR REQUEST.
BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY
SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

- FBI IDENTIFICATION RECORD -

WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE
DIRECTLY WITH THE AGENCY [illegible] FURNISHED THE DATA TO THE FBI.

| NAME | FBI NO. | DATE REQUESTED |
|---|---|---|
| OSBORNE,WILLIE EDWARD | | 05/06/97 |

05/06/97 10:25:15 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FULL MSG
MESSAGE DATED 97/05/04 10:24 NO 03038? FROM USER

TO: BUREAU OF ATF

RESP:

| SEX | RACE | BIRTH DATE | HEIGHT | WEIGHT | EYES | HAIR | BIRTH PLACE |
|---|---|---|---|---|---|---|---|
| M | B | 07/11/49 | 508 | 134 | BRO | BLK | MISSOURI |

FINGERPRINT CLASS
PO 10 05 16 17

1-ARRESTED OR RECEIVED 08/22/66
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE 1-ATT BURG

COURT:
DISPOSITION:
CHARGE AT DISP:
SENTENCE:
REFUSE

INPUT:

05/06/97 10:23:22 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FULL MSG
MESSAGE DATED 97/05/06 10:24 NO 000391 FROM USER

FROM: TERM
TO: BUREAU OF ATF
RESP:

SEX RACE BIRTH DATE HEIGHT WEIGHT EYES HAIR BIRTH PLACE
M B 07/11/49 508 134 BRO BLK MISSOURI

FINGERPRINT CLASS
PO 10 05 16 17

1-ARRESTED OR RECEIVED 08/22/66
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE 1-ATT BURG

COURT:
DISPOSITION:
CHARGE AT DISP:
SENTENCE:
REFUSE

1-4+5

INPUT:

05/06/97 10:23:27 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FULL MSG
MESSAGE DATED 97/05/06 10:24 NO 000391 FROM USER

FROM: TERM
TO: BUREAU OF ATF
RESP:

1-ARRESTED OR RECEIVED 08/22/66
AGENCY-POLICE DEPARTMENT SAINT LOUIS

CHARGE 1-ATT BURG
SENTENCE:

369

AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE- 5979
CHARGE 1-ARMED ROB

INPUT

[illegible] SEMIAUL MESSAGE ROUTING SYSTEM [illegible]
MESSAGE [illegible] NO [illegible] RC:

[illegible]

AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979
CHARGE 1-ROB

[illegible]
AGENCY CASE- 14309
[illegible]

[illegible]
DISPOSITION:

[illegible]

[illegible]
MESSAGE DATED 87/05/06 [illegible]

[illegible]

1-5

[illegible]

/ ARRESTED OR RECEIVED 04/10/70
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979 NAME USED-BO:
CHARGE 1-ST% ST%-DISCH FIREARMS IN

370

AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105979 NAME USED-DOTD,WILLIE D
CHARGE 1-SUSP VIOL MO NARC LAW

COURT-
DISPOSITION-
CHARGE-SUSP VIOL MO NARC LAW

ARRESTED OR RECEIVED 12/13/76
AGENCY-POLICE DEPARTMENT SAINT LOUIS

INPUT:

SENDING SYSTEM
MESSAGE DATED 97/05/06 10:24 NO 000079 FROM

FROM:
TO: DURGAL ST AFF
RESP:
CHARGE 1 SAFEKEEPING

COURT-
DISPOSITION-
CHARGE NUR
SENTENCE-
NOLLE PROSEQUI

DISPOSITION
CHARGE-ROB
SENTENCE-
NOLLE PROSEQUI

AGENCY-POLICE DEPARTMENT SAINT LOUIS

INPUT:

SENERAL MESSAGE ROUTING SYSTEM
MESSAGE DATED 97/05/06 10:24 NO 000079 FROM

FROM
TO
RESP

1-6

AGENCY CASE-105979
CHARGE 2-SUSP NARC LAWS
CHARGE 3-STL V BURG-ADD CHRG

3H

CHARGE LONG 2ND DEG
SENTENCE

INPUT:

GENERAL MESSAGE ROUTING SYSTEM

PAGE 1
NEXT 1

FROM: FBI
TO: BUREAU OF ATF
REF:

YRS
PS 5 YRS CC

12-ARRESTED OR RECEIVED 05/21/78
AGENCY POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-115779 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1 ROBBERY-ARMED
CHARGE 2-COW-GUN

QUIT

DISPOSITION

INPUT:

GENERAL MESSAGE ROUTING SYS

PAGE 1
NEXT 1

FROM: FBI
TO: BUREAU OF ATF
REF:

CHARGE-COW GUN
PENALTY
TO SERVE TO 2 YRS NO CONF CONCURRENT GUN

13-ARRESTED OR RECEIVED 07/11/79
AGENCY-POLICE DEPARTMENT SAINT LOUIS
AGENCY CASE-105770 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1 COW-GUN-F
CHARGE 2 POSS MARIJUANA LESS THAN 35 GRAMS
CHARGE 3-FTA-F

1-607

ARRESTED OR RECEIVED 07/11/79
AGENCY-FBI ST. LOUIS MO
AGENCY CASE 29 7% NAME USED BOYD,WILLIE EDWARD

372

FROM: FBI
TO: BUREAU OF ATF

NEXT

CHARGE-ILLEGAL POSS OF SCHEDULE II CON SUB

COUNT:

DISPOSITION

CHARGE-CDW

SENTENCE

IS A YOU CND AFT 7 IS G.

DISPOSITION-

DISPOSITION

SENTENCE

05/06/97 10:26:43 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FULL MSG
MESSAGE DATED 97/05/06 10:24 NO 000391 FROM USER

PAGE 1.

FROM: TERM NEXT P

TO: ALACHUA CO JAIL

RECD:

A 5 YRS IC CONS PO 5 IS CL

IS INDICTED OR CHARGED TO JAIL CL

AGENCY DOC SAINT LOUIS

AGENCY CASE IF-97 X003 NAME USER-BOYD,WILLIE EDWARD

CHARGE 1-POSS COCAINE W/INT TO DIST

COURT

DISPOSITION-

CHARGE PEND PROSECUTION TO DIST

SENTENCE-

144 MOS PRISON

IS ARRESTED OR CHARGED TO JAIL CL

INPUT

05/06/97 10:26:47 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FULL MSG
MESSAGE DATED 97/05/06 10:24 NO 000391 FROM USER

PAGE 1.

FROM: TERM NEXT P

TO: ALACHUA CO JAIL

RECD:

AGENCY-USM SAINT LOUIS

AGENCY CASE-19497044 NAME USER-BOYD,WILLIE EDWARD

CHARGE 1-POSS W/INT TO DIST COCAINE

COURT

DISPOSITION-

-- ----- --

1-7

373

IS ARRESTED OR CHARGED TO JAIL CL

AGENCY-US PENITENTIARY LEAVENWORTH

AGENCY CASE-19496-044 NAME USER-BOYD,... LIE EDWARD

INPUT:

05/06/97 10:24:55 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FULL MS
MESSAGE DATED 97/05/06 10:24 NO 000391 FROM USER

PAGE 1
NEXT :

FROM: [illegible]
TO: BUREAU OF ATF
FLDS:

DOB/

DISPOSITION-
CHARGE-POSS OF A FIREARM
SENTENCE-
IE YTC EASTERN DIST OF MO 6-21 89 PAR / UNABLE TO ASSOCIATE
DISPOSITION WITH CHARGE

SUPERVISION, OR CUSTODY-
AGENCY-LO PROBATION SAINT LOUIS

INQ LT:

05/06/97 10:27:01 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FULL MS
MESSAGE DATED 97/05/06 10:24 NO 000391 FROM USER

PAGE 2
NEXT :

FROM: TERM
TO: BUREAU OF ATF
RESP:

AGENCY CASE-
04/21/89 STATUS-PAROLE/SPT FORM COMM PROG OFFICE US BUREAU OF
PRISONS SEATTLE,WA
[illegible]

10-ARRESTED OR RECEIVED 02/20/88
AGENCY-STATE REFORMATORY MONROE
AGENCY CASE-930253 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-FED BORDER CNTRLD SUBST CTS I [illegible]
CHARGE 2-POSS OF FIREARM CT III

COURT
DISPOSITION-
CHARGE-FED BORDER CNTRLD SUBST CTS
SENTENCE

394 1-7+8

[illegible]

UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE

SENTENCE
6 YRS CS / UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE

19-ARRESTED OR RECEIVED 04/18/91
AGENCY-USM SAINT LOUIS
AGENCY CASE 18498 044 NAME USED-BOYD,WILLIE EDWARD
CHARGE 1-PAROLE VIOLATION

---

2X ARRESTED OR RECEIVED 06/27/93
AGENCY-USM SAINT LOUIS
AGENCY CASE-18498-044 NAME USED-BOYD,WILLIE EDWARD

05/06/97 10:27:16 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FULL MSG
MESSAGE DATED 97/05/06 10:24 NO 000391 FROM USER
PAGE 1
FROM: TERM NEXT 1
TO: BUREAU OF ATF
MSG:
CHARGE 1-PAROLE VIOLATION

21-ARRESTED OR RECEIVED 06/27/93
AGENCY-FEDERAL CORR INST ASHLAND
AGENCY CASE-18498044 NAME USED-BOYT,WILLIE
CHARGE 1-FV POSS W/I TO DIS COC UNREGISTERED FIREARM

COURT-
DISPOSITION-
CHARGE-POSS W/I TO DISTRIBUTE COCAINE
SENTENCE-
UNABLE TO ASSOCIATE DISPOSITION WITH CHARGE
DISPOSITION
CHARGE-POSSESSION OF UNREGISTERED FIREARM
SENTENCE-

05/06/97 10:27:25 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FULL MSG
MESSAGE DATED 97/05/06 10:24 NO 000391 FROM USER
PAGE 1
FROM. TERM NEXT SC
TO: BUREAU OF ATF
MSG:
04-23-91 18 YEARS F.C. UNABLE TO ASSOCIATE DISPOSITION WITH
CHARGE

SUPERVISION CUSTODY-
[illegible]

375 1-8

CHARGE 2 USC § 5[illegible]

03/06/97 10:27:34 GENERAL MESSAGE ROUTING SYSTEM DISPLAY FBI MS
MESSAGE DATED 97/03/06 10:24 NO 000391 FROM USER

PAGE 2
NEXT 0

FROM: NCIC CTL TERM
TO: BUREAU OF ATF
ATTN:

ADDITIONAL CRIMINAL HISTORY RECORD INFORMATION IS MAINTAINED BY THE FOLLOWING STATE(S).
CALIFORNIA - STATE ID

ALL ARREST ENTRIES CONTAINED IN THIS FBI RECORD [illegible]
FINGERPRINT COMPARISONS ARE VITAL TO THE [illegible]

THE USE OF THIS RECORD IS REGULATED BY LAW. IT IS PROVIDED FOR OFFICIAL USE ONLY AND MAY BE USED ONLY FOR THE PURPOSE REQUESTED.
END OF RECORD

**** END OF MESSAGE ****

INPUT:

370 1-8+9

02/05/97 14:26:23  DISPATCHER'S INQUIRY/RESPONSE SCREEN

**** FROM MULES - LNM/JACKSON.FNM/BILLY

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *
* THIS RESPONSE IS NOT TO BE CONSIDERED A POSITIVE *HIT* SINCE THE *
* INQUIRY DOES NOT PERMIT A UNIQUE IDENTIFIER AND IS TO BE USED *
* ONLY TO ASSIST IN MAKING A DIRECT QMS, QMH, QIDI OR AQ INQUIRY. *
* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

| SID NO. | LNM | FNM | MI | JSR | S | R | DOB | SSN/MNU | CA |
|---|---|---|---|---|---|---|---|---|---|
| | JACKSON | BILLY | M | M | B | | 020447 | 490526005 | 2 |

PGREQ: INPUT: *** END OF MESSAGE ***

377

202-160

# SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF ALAMEDA

## ABSTRACT OF JUDGMENT
## (Commitment to State Prison)

The People of the State of California, Present:

vs.

WILLIE EDWARD OSBORNE
AKA
Defendant

Present:
Hon. ... ULRICH ...
Judge of the Superior Court
..., County ...
District Attorney
...
Counsel for Defendant

This certifies that on March 11, 1976 judgment of conviction of the above-named defendant was entered as follows:

(1) Case No. 60595 Count No. six

On his plea of Not Guilty

he was convicted by Verdict of Jury of the offense of a felony, to wit: a violation of Section 12021 of the Penal Code of California as charged in the sixth count of the Indictment.

Defendant's motion for new trial is denied. The Court strikes the two prior convictions as surplusage. Defendant's motion for probation is denied.

with prior felony convictions charged and proved or admitted as follows:

| Date: | County and State | Crime | Disposition |
|---|---|---|---|
| | STRICKEN | | |

FILED
APR - 2 1976
RENE ... Clerk
By

from Oct. 5, 1975

Defendant has been held in custody for / days as a result of the same criminal act or acts for which he has been convicted.

XX Defendant (was/was not) armed with a deadly weapon at the time of his commission of the offense or a concealed deadly weapon at the time of his arrest within the meaning of Penal Code Section 3024. XX XX

XX (2) Defendant (was/was not) adjudged a habitual criminal within the meaning of Subdivision (a) or (b) XX Section 644 of the Penal Code, and the Defendant XX a habitual criminal in accordance with provisions of Subdivision (c) of that section XX XX

(3) IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the said Defendant be punished by imprisonment in state prison of the State of California for the term provided by law and that he be committed to the Sheriff of the County of Alameda, and by him delivered to the Director of Corrections of the State of California at California Medical Facility at Vacaville, California

It is ordered that sentences shall be served in respect to one another as follows:

* * *

and in respect to any prior incompleted sentence(s) as follows:

THE COURT MAKES NO ORDER

(4) To the Sheriff of the County of Alameda and to the Director of Corrections at the California Medical Facility at Vacaville, California

Pursuant to the aforesaid judgment, this is to command you, the said Sheriff, to deliver the above named defendant into the custody of the Director of Corrections at the California Medical Facility at Vacaville, California at your earliest convenience.

Witness my hand and seal of said court. April 2, 1976

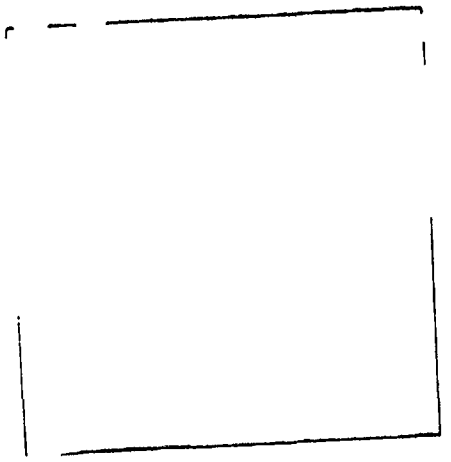
378

(SEAL)

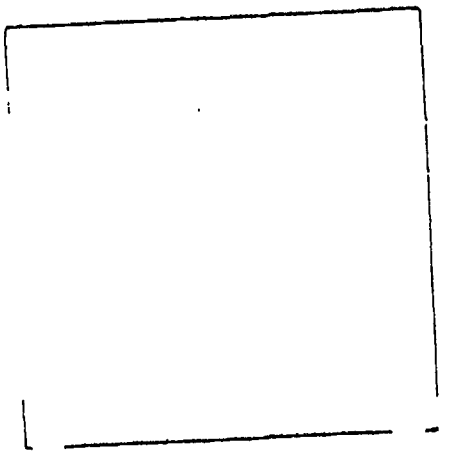
..., County Clerk

By ... Deputy

# Photo



1



4

Rank(R) R 1 OF 6 | Database MO-RPA | Mode Page

Information Current through 07-31-1996
Database Updated: 06-23-1997
Update Frequency: MONTHLY
Source: St. Louis City Assessor's Office

Real Property Asset Locator information is compiled from several private sources and the most recently available tax assessor's annual tax roll.

Name Type: OWNER
Name:

Mailing Address:

SAINT LOUIS MO
Land Use: COMPANY
Lot Depth: 0.
Assessor's Parcel Nbr:
Assessed Value Land: $2,100
Assessed Value Bldgs: $4,700
Assessed Value: $6,800
Tax Amount: $597.85

TO ORDER REAL PROPERTY DOCUMENTS CALL 800-777-8567

END OF DOCUMENT

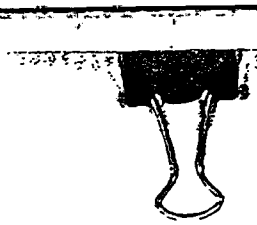
Copr. (C) West 1998 No Claim to Orig. U.S. Govt. Work

City Records
2832 St Louis Ave
3780 W. Florissant
4112 Shaw
1435 E. DeSoto
1403 E. DeSoto
4161 Flad

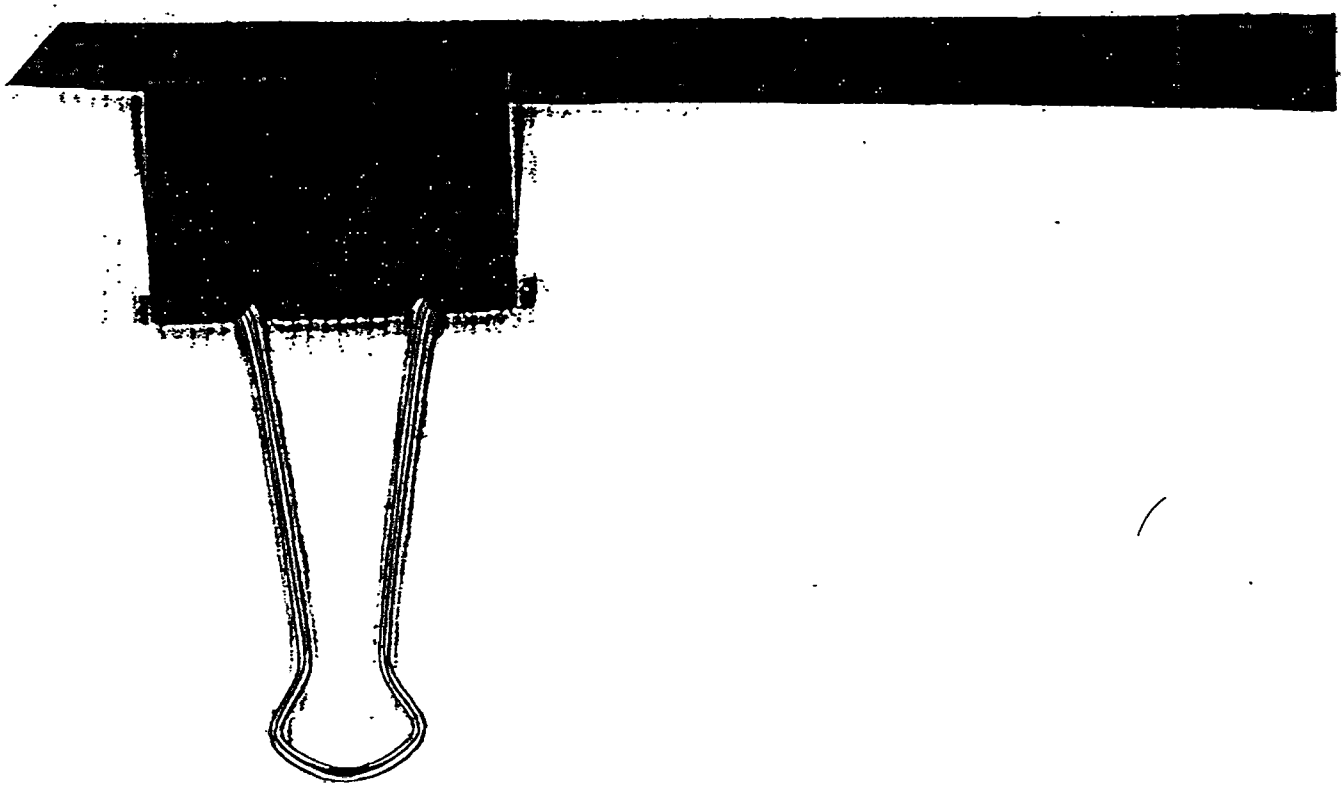
380

12 : 12 Shaw

Document #381
22 Pages
Referred to U.S.
Marshals Service



Document # 382
12 Pages
Referred to Executive
Office of U.S. Attorneys



Document # 383

178 Pages

Referred to Financial Crimes Enforcement Network

RUN DATE 97/02/05 DEPARTMENT OF CORRECTIONS
RUN TIME 09 38 32 ADULT INSTITUTIONS PAGE 1
FACE SHEET

REGISTER NO. 039079 COMMITMENT NAME BOYD WILLIE E
SID NO PROG NAME BOYD WILLIE E
SSN 420-12 4605 AGE AT COMMITMENT: 30
FBI NO.

* * ALIAS NAME * *

BIRTH DATE 07 11 1966 BIRTH PLACE: ST. LOUIS MO BIRTHPLACE NORMALIZED
HEIGHT 5 FT. 10 IN. WEIGHT: 154 SEX: MALE RACE BLACK
EYES BROWN COMPLEXION MEDIUM MUM
HAIR BLACK

* SCARS MARKS TAT

FACE 5 THK DESCRIPTION
NECK WHITE
CHEST

OCCUPATION PROFICIENCY NO RELIGIOUS PREFERENCE MARITAL STATUS MARRIED

* * EMERGENCY ADDRESS * *

NAME RELATIONSHIP PHONE
STREET/CITY/STATE/ZIP
ALT PHONE NUMBER

NAME RELATIONSHIP
STREET/CITY/STATE/ZIP
ALT PHONE NUMBER 000-000-0000

* * * *

RUN DATE 97/02/05
RUN TIME 09:20:33

DEPARTMENT OF CORRECTIONS
ADULT INSTITUTIONS
FACT SHEET



[illegible]

[illegible]

[illegible]

PROB 22
(Rev. 10/89) ⊕

# PERSONAL HISTORY OF ABSCONDER

To: U.S. Marshall Warrant Supervisor

**TYPE OF WARRANT**

Probation ☐
Parole ☒
Pretrial ☐

FROM:

OFFICE: U.S. Probation

PHONE NO.: 539-

DATE: 3/18/96

PHOTO AVAILABLE ☒ YES ☐ NO

IN CUSTODY NOW: ☐ YES ☒ NO; WHERE:

---

RE: Boyd, Willie Edward
(LAST) (FIRST) (MIDDLE)

MALE ☒ FEMALE ☐ RACE ☐: White ☐ Hispanic ☐ Chinese ☐
Black ☒ Indian ☐
Other

DATE OF BIRTH 7-11-49 PLACE OF BIRTH St Louis

HT: 5 ft. 9 in.; WT: 170 lbs.; EYES Brown HAIR Black

***(NOTE: This info required for NCIC)

COMPLEXION: Dark Brown SCARS, TATTOOS, DEFORMITIES, OTHER ID MARKS Scar left wrist

FBI #: LOCAL POLICE #: SOC. SEC. #: 490-52-6605 DOCKET #: 91-91-0019

DRUG USE: Yes X No ALIASES:

LAST KNOWN OR CURRENT ADDRESS: 4212 Shaw, 2nd F, St Louis 63110 - lived up

LAST KNOWN OR CURRENT TELEPHONE NO.: 773-7857 - 2338 Virginia (Boarding Anthilla Sec.

FORMER PHONE NOS.: 525-2918 - St. Anthony's

FORMER ADDRESSES AND DATES: 1435 E. Desoto 63107 Aug '94

386

DATE, PLACE, OFFENSE, AND AGENCY RESPONSIBLE FOR ARREST RESULTING IN SUPERVISION PLACEMENT: 10/12/81 St Louis, Distribution Cocaine & Heroin & Possession of Non Registered Firearm - St Louis City PD - Narcotics

DATE OF LAST KNOWN ARREST: 1991 PLACE St Louis

NATURE OF ARREST: Drugs

VIOLENT HISTORY (Type): Yes - Robbery w/DDW, Murder 1st

* see below Bomb material located in residence at one arrest

DATE OF LAST FACE-TO-FACE CONTACT WITH PROBATION OFFICER: 11-1-95

DOES SUBJECT KNOW WARRANT HAS BEEN ISSUED? Yes ☒ No ☐ Probably

NEXT KNOWN COURT APPEARANCE: Date _____ Location _____ Type _____

KNOWN CO-DEFENDANTS AND ASSOCIATES AND AREAS SUBJECT MAY FREQUENT (names. aliases, addresses)

No Co-Δ's

KNOWN FAMILY AND RELATIVES (name, relation, address, phone no.)

OCCUPATION: maintenance DATE OF LAST EMPLOYMENT: present

LAST EMPLOYER & ADDRESS: Wm Cole Realty & Motel, 4531 now 4517 Nat. Bridge 63115

385-5131 → None

AUTOMOBILE, DESCRIBE: None

AUTO LICENSE NO., IF KNOWN: Non STATE:

OTHER RELATIVE INFORMATION:

→ Narcotics detectives familiar with this enterprise as being source of illicit activities. (387)

NAME AND TELEPHONE NO. OF PROBATION OFFICER:

NAME OF CHIEF PROBATION OFFICER OR SUPERVISOR

* Narcotics detectives consider Δ very dangerous. Narcotics detectives on D. Union very familiar w/Δ.

DEFENDANT'S EXHIBIT

# UNITED STATES ATTORNEY
# EASTERN DISTRICT OF MISSOURI

1114 Market • Room 401 • St. Louis, MO 63101 • 539-2200 • 539-2309 (FAX)

# FAX TRANSMITTAL

DATE: 12-22-99

TO: Albert L. Green

FROM: Gary Gaertner

PAGES: 2 (Excluding Cover)

MESSAGE: Here's another interview of Albert L. Green

622-4956

*PLEASE DELIVER IMMEDIATELY*

745519 97 0012

REPORT OF INTERVIEW

With Albert Lee Greer, 1435 East DeSoto, St. Louis, Missouri, made on June 6, 1997, by Special Agent James Green, Bureau of Alcohol, Tobacco & Firearms (ATF).

On June 6, 1997, at 4:31 p.m., Special Agent (SA) Randy Bodenschatz and SA James Green contacted Albert Lee Greer at his residence, 1435 East DeSoto, St. Louis, Missouri, relative to the ongoing federal investigation of Willie E. BOYD for the violation of federal firearms and narcotics laws.

SA Bodenschatz and SA Green responded to the address on DeSoto to serve a federal Grand Jury subpoena for Greer relative to the investigation. SA Green had been advised by the Deputy U.S. Marshal (DUSM) Luke J. Adler that he had just spoken with Greer and that Greer indicated that he was going to leave town for Kansas City. DUSM Adler stated that Greer advised him that Sharon Troupe (Willie Boyd's fiancee) had contacted Greer relative to the recovery of a firearm from the residence on DeSoto by St. Louis Metropolitan Police Department Mobile Reserve Officers.

Subsequent to the recovery of the firearms by the officers, Greer made an allegation to the Internal Affairs Division (IAD) of the St. Louis Metropolitan Police Department concerning the loss of $3,500 in U.S. currency during the search warrant execution by the Mobile Reserve Officers.

Upon arrival at 1435 East DeSoto, SA Green handed Greer his copy of the federal Grand Jury subpoena requiring his testimony on June 11, 1997, at 11:00 a.m. at the United States Court and Custom House, 1114 Market Street, St. Louis, Missouri. SA Green advised Greer that he was under federal subpoena and his appearance would be required on that date and time. SA Green advised Greer that any questions regarding the subpoena could be directed to Assistant United States Attorney (AUSA) Gary M. Gaertner, Jr. who is handling the prosecution of the BOYD case. Greer indicated that he understood the subpoena and would be at the courthouse on that date.

SA Green advised Greer that the subpoena was in reference to the recovery of the firearm at 1435 East DeSoto. Greer stated that a neighbor had contacted him at the shop (3780 W. Florissant) and told him that the police were at his house. Greer stated that he came to the house and talked to the police on the front porch. Greer stated that he told the police that if there is something in the house, I don't know nothing about it. Greer stated that the firearm recovered by the police was not his gun. Greer stated that he told the police to check it for fingerprints, my prints aren't on it. Greer stated that he does not recall telling the police that the gun belonged to Willie (BOYD).

Greer stated that he had maybe $1,200 to $1,500 in cash in the house, but was not sure. Greer stated that the house was owned by Mary DeArmond. Greer stated that he was trying to find out if his cousin, Stanley Boyd, took the money. Greer stated that, "I don't believe the police took the money." Greer further stated that the cousin (Stanley Boyd) "might have taken the money to smoke some crack." Greer stated that Stanley is a crack cocaine user and that he had been up and down the street to see if his cousin had been buying any crack cocaine.

Greer stated that he and Sharon Troupe went to the Police Department IAD together. Greer stated that Sharon Troupe picked him up from work to take him to IAD. Greer stated that Troupe told him to "ride with me" and she asked about what was missing from the house. Greer stated that he told her that baseball cards were missing from the house. At that point of the interview, Greer stated, "I am scared to death." Greer stated that Willie (BOYD) didn't tell him to claim the money was missing. Greer stated that Sharon had told him to ride with her and that she estimated that $3,500 was missing and told him that the police probably took it since he couldn't find it. Greer again stated regarding the missing money, "I don't think the police had anything to do with it, since I dug into it." Greer stated that he had last saw the money a week or so prior to the search warrant execution.

Greer stated that this is the second incident regarding missing money. Greer stated, "I bet Stanley took it." Greer stated that on a prior occasion, another brother had taken money from his wallet. Greer stated that he found the baseball cards and StarWars cards that he thought were missing from the residence.

The foregoing report of interview was reduced to writing following the interview by the undersigned agent.

SA James Green, ATF

The New York Times

U.S.

# What Happened to the McVeigh Evidence?

By NEIL A. LEWIS and DAVID JOHNSTON MAY 13, 2001

The discovery of thousands of pages of undisclosed evidence in the Timothy J. McVeigh case had its origins in the closing days of last year, in what one law enforcement official this weekend described as a routine effort to "have a final cleanup."

By this week, senior officials say, they had realized for the first time that there were 3,135 pages connected with "OKBOMB," as the Oklahoma City bombing case was known to insiders, that had never been turned over to Mr. McVeigh's lawyers.

As a result of that discovery, the execution of Mr. McVeigh, scheduled for Wednesday, was postponed until at least June 11 by Attorney General John Ashcroft. Mr. Ashcroft and the Federal Bureau of Investigation, reeling from the embarrassment of the serious mishandling of the largest domestic antiterrorism case in the nation's history, were scrambling to figure out what happened.

Senior law enforcement officials in the Bush administration, giving their version of what they have been able to reconstruct so far, say there is no evidence that the documents were deliberately withheld by anyone. That conclusion has not, however, been tested by lawyers for Mr. McVeigh, who have yet to examine the documents and give their view of the significance of the discovery.

The officials said in interviews that in late December an unsigned message was sent from F.B.I. headquarters in Washington to the bureau's 56 field offices,

instructing them to "clear the books." The message asked officials to send in to headquarters any items in the files related to the bombing of the Alfred P. Murrah Federal Building in Oklahoma City on April 19, 1995. Daniel Defenbaugh, the senior bureau agent assigned to the case, who had subsequently been named the top agent in the Dallas office, was in charge of the cleanup effort.

One official said that by the end of January, a team of bureau archivists in Oklahoma City had begun receiving reams of documents. The archivists set about checking to make sure the materials were only duplicates of documents sent in during the course of the investigation and already turned over to the defense. They were to check each document against a master computer list contained in 26 databases.

By late February, they found themselves dealing with about a hundred boxes received from 43 F.B.I. offices around the country and overseas. Initially, it seemed that the documents were indeed duplicates of those logged before and turned over to Mr. McVeigh's lawyers, as everyone had assumed.

But they soon began to discern a problem. By March, they had informed Mr. Defenbaugh that there appeared to be a number of documents that had not been previously listed. In response to the archivists' discovery, Mr. Defenbaugh went to Oklahoma City to meet with them.

At about this time, Justice Department officials were deeply involved in making complicated arrangements to put Mr. McVeigh to death, the first federal execution in 38 years. They were consumed with such matters as how to organize a closed-circuit television viewing of the planned lethal injection at a federal prison in Terre Haute, Ind., for the families of the victims.

Justice Department officials said they did not believe Mr. Defenbaugh informed his superiors that there might have been a serious problem involving documents that were not disclosed to the defense.

"He never thought any of this stuff had any impact on McVeigh or Nichols," one law enforcement official said, referring to Mr. McVeigh and Terry Nichols, a co-defendant in the bombing who was convicted and sentenced to life in prison.

While Mr. Defenbaugh did not inform his superiors of any potential problem, he instructed the archive team to examine the documents more closely and to get a sense of how much of a problem existed, the officials said. They said Mr. Defenbaugh told them this week that he hoped the discrepancy might involve only a few tangential documents.

But after examining the contents of the boxes, the archives team concluded that enough documents to fill about three boxes had never been logged into the system or given to defense lawyers.

Mr. Defenbaugh did not notify anyone in Washington of the magnitude of the problem until last Tuesday, officials who have been reviewing the records said. At that time, he informed Sean Connelly, a senior Justice Department official monitoring the McVeigh case. The F.B.I. director, Louis J. Freeh, and Mr. Ashcroft learned of the development on Thursday, officials said.

Mr. Freeh, who several days earlier had announced his impending retirement, had just endured a round of journalistic reviews of his eight-year tenure that included accounts of several lapses. Mr. Ashcroft was still trying to establish his footing at the Justice Department and had been highly visible on the issue of the execution.

The officials said they had so far been unable to learn why Mr. Defenbaugh did not bring the problem to his superiors' attention earlier. Bureau officials said the Justice Department declined to make Mr. Defenbaugh available for interviews.

The government would ordinarily not be required to turn over most, if any, of what is contained in those pages, as officials assert they do not meet the legal standard of having a bearing on the guilt or punishment of Mr. McVeigh. But because of the extraordinary nature of the case, prosecutors had agreed to an an extraordinary standard: they would turn over everything, even those documents that did not affect the questions of guilt or punishment.

"It's always a problem to do that," one federal prosecutor said. "You never know what you don't know."

The principle governing disclosure of documents to the defense was entrenched in the law in 1963 in a case called Brady v. Maryland, when the United States Supreme Court ruled that a defendant was entitled to a new trial when state prosecutors failed to provide him with a confession from an accomplice. Prosecutors have a duty to disclose any such important evidence, known as Brady material, in the files of any investigative agency.

But the court has also made clear that the government does not have to disclose information that is "neutral, irrelevant or speculative."

Senior Justice Department officials said they hoped that the pages now being turned over to defense lawyers would be just that: irrelevant to the issues of guilt and punishment. Early examination of the documents, they said, showed that many of the records were bureau reports known as 302's, in which agents recorded things like telephone tips that did not lead anywhere.

Courts have generally ruled that prosecutors who violate the disclosure rules may be sanctioned. But the Supreme Court ruled in 1985, and has repeated several times since then, that a verdict or penalty should not be affected unless material evidence is withheld, meaning that "there is a reasonable probability that the disclosure of the evidence would have changed the outcome of the proceeding."

---

© 2018 The New York Times Company

Following are the circumstances and events that led up to and surrounded the arrest of the herein named individuals.

At approximately 6:30 p.m. on [illegible]'s date, Detectives DSN and DSN and I met with a Detective rating out of a motor lodge, 4531 Natural Bridge, were engaged in the sale of Crack/Cocaine.

Continuing with this investigation; at approximately 9:10 p.m., the herein named detectives set up and maintained a surveillance on the aforementioned motel. During this surveillance, we observed seven individuals approach the front door of the motel and being allowed entry, approached a door leading to a room situated on the west side of the premises. These individuals would knock on the door leading to this room, at which time a short transaction involving currency and other unknown items would take place. These individuals would leave the motel and walk from the area.

At approximately 10:00 p.m., myself, along with Detectives J. entered the motel, which was open for business, and approached the aforementioned door, leading to what was later found to be an office. Upon knocking on this door, same was opened by an individual, later identified as Billy J. Upon seeing the officers, this subject attempted to close the door, pushing same towards the officers.

During this struggle to enter the premises, we could hear a toilet flushing inside this room.

At this point, the officers were allowed entry to the premises and almost immediately located the herein mentioned firearms and a plastic bag containing suspected Crack/Cocaine. During this incident, subject exited a restroom, which was located on the north side of the room.

Both subjects were placed under arrest and advised relative to their Constitutional Rights, as outlined in HPD Form GEN-19.

(43)

Subject Billy J. secured the premises by locking both doors, afterwhich time the arrested subjects were conveyed to the Area III Command Station where they were booked and charged as indicated herein.

While at the Area III Station, the investigating officers seized $775 from arrested subject Billy J. This currency was believed to be proceeds from the illegal sale of Crack/Cocaine. The currency was counted in the presence of the arrested subject and recorded on HPD Form GEN-74 (Property Receipt), which was signed by the arrested subject and hereto attached.

Both of the arrested subjects were reminded of their Constitutional Rights, and questioned relative to this incident. Subject Billy J. stated that he is friend's with the owner of the aforementioned hotel and that he was on the premises waiting for his friend, adding that he did not take part in any illegal activity. In response to questioning, this individual stated that he kept a firearm for his own protection.

Arrested subject

.. and that he did not have a ...earm or any type of controlled substance, concluding in stating that he is on parole and feared that his parole would be violated.

A record and wanted search via REJIS computer revealed that both of the arrested subjects have extensive police records indicated with this department, with no active wanted on file.

Criminal Information Sheets and a ~~Warrant Disposition Report~~ were prepared, as ~~warrants will be applied for in the a.m. of~~ 11/7/95 ~~by the herein named arresting officers~~.

ATTACHMENT: PROPERTY RECEIPT

44

11/07/95 ST. LOUIS METROPOLITAN POLICE DEPARTMENT CMPLT # 95164930
POLICE INCIDENT REPORTING SYSTEM
INCIDENT REPORT

## I N C I D E N T

Incident Type: 182999 VMCSL-GENERAL POSSESSION
Complaint # Status: CLEARED/ARREST
Orig./Supplement: ORIGINAL
Dist/Precinct/Beat:
Origination Desc: RADIO
Day of Week: MON
Date of Occurrence: 11/06/95 to 11/06/95
Time of Occurrence: 22:00 to 22:00
Location Name: COLE'S MOTOR LODGE Ngh:
Street: 4531 NATURAL BRIDGE
City/State: ST. LOUIS MO
Type of Premises: HOTEL/MOTEL
Invst Followup(Y/N): N
Assignment:
Date: 11/07/95
Time: 22:00
Asgnt. Code: Car No:
DSN/Officer:
Assisted by:

ANY WEAPONS DISCHARGED BY AN OFFICER(Y/N)? N

Summary: THE HEREIN NAMED DETECTIVES WHO ARE MEMBERS OF THE AREA III SPECIAL OPERATIONS TASK FORCE FOLLOWING A SHORT INVESTIGATION ARRESTED TWO INDIVIDUALS AND SEIZED A QUANTITY OF SUBSTANCE, BELIEVED TO BE CRACK COCAINE, THREE FIREARMS, AND $775 IN U.S. CURRENCY.

## V I C T I M

NAME: LAST STATE OF MISSOURI

DOMESTIC INCIDENT: NO
REL. TO SUSPECT: RELATIONSHIP UNKNOWN
BIAS INCIDENT: NO

## P R O P E R T Y

45

Property Status: EVIDENCE
Damaged (Y/N): N
Held as Evidence: Y
Quantity: 1
Property Type: CONSUMABLE GOODS
Characteristics: ONE PLASTIC BAG CONTAINING AN OFF WHITE ROCK LIKE

S 2 7 0 0 1 7 0 0 0

SUBSTANCE
Estimated Value: $ 0
Property Disp: TAKEN TO LABORATORY
Recovery:
Loc. Recovered: FLOOR
Date: 11/07/95
Address:
Street: 4531 NATURAL BRIDGE
City/State: ST. LOUIS MO
DSN/Officer:
Assignment Code:
Owner:
Name: J (SUSPECT)
BILLY

P R O P E R T Y

Property Status: OTHER
Damaged (Y/N): N
Held as Evidence: Y
Quantity: 1
Property Type: CURRENCY/NOTES
Characteristics: $775 U.S. CURRENCY IN VARIOUS DENOMINATIONS
Estimated Value: $ 775
Property Disp: ASSET FORFEITURE
Recovery:
Loc. Recovered: PERSON OF SUSPECT
Date: 11/07/95
Address:
Street: 4014 N UNION
City/State: ST. LOUIS MO
DSN/Officer:
Assignment Code:
Owner:
Name: J. (SUSPECT)
BILLY

P R O P E R T Y

46

Property Status: EVIDENCE
Damaged (Y/N): N
Held as Evidence: Y
Quantity: 7
Property Type: FIREARM
Brand: RUGER
Model: SECURITY 6
Characteristics: .357 MAGNUM BLUE STEEL REVOLVER WITH 3" BARRELL LOADED W/6 LIVE ROUNDS

Estimated Value: $ 0
Property Disp: TAKEN TO LABORATORY
Recovery:
Loc. Recovered: FLOOR
Date: 11/07/95
Address:
Street: 4531 NATURAL BRIDGE
City/State: ST. LOUIS MO
DSN/Officer:
Assignment Code:
Owner:
Name: J (SUSPECT)
BILLY

P R O P E R T Y

Property Status: EVIDENCE
Damaged (Y/N): N
Held as Evidence: Y
Quantity: 5
Property Type: FIREARM
Brand: SMITH & WESSON
Serial Number: 58645
Characteristics: .45 CALIBER BLUE STEEL REVOLVER WITH 6" BARRELL WITH 4 LIVE ROUNDS SBP951106-231241
Estimated Value: $ 0
Property Disp: TAKEN TO LABORATORY
Reference Number: G694126578
Recovery:
Loc. Recovered: FLOOR
Date: 11/07/95
Address:
Street: 4531 ---
City/State
DSN/Of
Assignm
Owner:
Name:

THIS ONE WAS TRACED

COPY IS ON WAY

Property St
Damaged (Y/N
Held as Evid
Quantity:
Property Typ
Brand:
Model:

47

Estimated Value: $ 0
Property Disp: TAKEN TO LABORATORY
Recovery:
Loc. Recovered: FLOOR
Date: 11/07/95
Address:
Street: 4531 NATURAL BRIDGE
City/State: ST LOUIS MO
DSN/Officer:
Assignment Code:
Owner:
Name: J (SUSPECT)
BILLY

P R O P E R T Y

Property Status: EVIDENCE
Damaged (Y/N): N
Held as Evidence: Y
Quantity: 5
Property Type: FIREARM
Brand: SMITH & WESSON
Serial Number: 58645
Characteristics: .45 CALIBER BLUE STEEL REVOLVER WITH 6" BARRELL WITH 4 LIVE ROUNDS SHP951106-211241
Estimated Value: $ 0
Property Disp: TAKEN TO LABORATORY
Reference Number:
Recovery:
Loc. Recovered: FLOOR
Date: 11/07/95
Address:
Street: 4531 NATURAL BRIDGE
City/State: ST. LOUIS MO
DSN/Officer:
Assignment Code:
Owner:
Name: (SUSPECT)

48

P R O P E R T Y

Property Status: EVIDENCE
Damaged (Y/N): N
Held as Evidence: Y
Quantity: 1
Property Type: FIREARM
Brand: ACIER VICKERS
Model: ITALIAN

| | |
|---|---|
| Serial Number: | 4478 |
| Characteristics: | .20 GAUGE DOUBLE BARRELL BLUE STEEL SHOTGUN W/2 RNDS SHP951106-231715 |
| Estimated Value: | $ 0 |
| Property Disp: | TAKEN TO LABORATORY |
| Reference Number: | G694127173 |
| Recovery: | |
| Loc. Recovered: | IN CORNER IN SOUTHEAST CORNER |
| Date: | 11/07/95 |
| Address: | |
| Street: | 4531 NATURAL BRIDGE |
| City/State: | ST LOUIS MO |
| DSN/Officer: | |
| Assignment Code: | |
| Owner: | |
| Name: | J (SUSPECT) BILLY |

49

## S U S P E C T

| | |
|---|---|
| NAME: LAST | JACKSON |
| FIRST | BILLY H |
| AGE | 044 TO 044 |
| WEIGHT | 195 TO 195 |
| HEIGHT | 508 TO 508 |
| RACE | BLACK |
| SEX | MALE |
| BUILD | MEDIUM |
| COMPLEXION | MEDIUM |
| EYE COLOR | BROWN |
| HAIR COLOR | BLACK |
| HAIR STYLE | AFRO/NATURAL |
| HAIR LENGTH | MEDIUM |
| FACIAL HAIR | COMBINATION BEARD/MUSTACHE |
| CLOTHING | BLUE SWEATER |
| CLOTHING | BLACK SHIRT/BLOUSE |
| Birth: | |
| Date: | 08/19/51 |
| Location: | MO |
| Social Security No: | 493-62-5241 |
| Marital Status: | SINGLE |
| Suspect Status: | ADULT ARREST |
| Injury: | |
| Description: | NOT APPARENT |
| RESIDENCE ADDRESS: | |
| Street: | 1403 E DESOTO |
| City/State: | ST. LOUIS MO 63107 |
| Telephone:(Res) | (314) 652-0222 Ext. 9000 |
| Arrest: | |
| Date: | 11/07/95 |
| Time: | 22:00 |
| ~~Officer~~/Asgmt: | ASGMT / |
| Assisted by: | |
| Local ID Number: | |
| Miranda: | |
| Yes/No: | Y |
| Officer: | |
| Charge: | |
| Charge Descr: | 1) VMCSL POSSESSION OF COCAINE |
| Crime Catgry: | FELON Date: 11/07/95 |
| Document No: | CN 95-164930 |
| Charge Descr: | 2) UUW/CCW |
| Crime Catgry: | FELON Date: 11/06/95 |
| Document No: | CN 95-164930 |

(50)

S e r i e s / 6 0 0

# S U S P E C T

NAME: LAST
FIRST

AGE
WEIGHT 145 TO 145
HEIGHT 503 TO 503
RACE
SEX
BUILD
COMPLEXION
EYE COLOR
HAIR COLOR
HAIR STYLE
HAIR LENGTH
FACIAL HAIR
CLOTHING
CLOTHING

Birth:
Date:
Location: MO
Social Security No:
Marital Status:
Suspect Status: ADULT ARREST
Injury:
Description: NOT APPARENT
RESIDENCE ADDRESS:
Street:
City/State:
Telephone:(Res) Ext.
Arrest:
Date: 11/06/95
Time: 22:00
Officer/Asgmt: ASGMT /
Assisted by:
Local ID Number:
Miranda:
Yes/No: Y
Officer:
Charge Descr: 1) VMCSL POSSESSION COCAINE
Crime Catgry: FELON Date: 11/07/95
Document No: CN 95-164930
Charge Descr: 2) UUW CARRYING
Crime Catgry: FELON Date: 11/06/95
Document No: CN 95-164930

51

LAST PAGE

SUBMITTED BY

Sgt

Supervisor

Watch Commander

52

*Best Copy Available*

S e p 0 6 2 0 0 6

METROPOLITAN POLICE DEPARTMENT - CITY OF ST. LOUIS
PROPERTY RECEIPT

ORIGINAL REPORT [X] SUPPLEMENTARY REPORT [ ]
(INDICATE 'X' IN APPROPRIATE BOX)

FILE NO. FOR RECORDS DIV.

COMPLAINT NO. 93-109-73

| 1. TYPE OF INCIDENT | 2. ORIGINAL C.N. | 3. DIST. REPORTING | 4. DATE OF THIS REPORT |
|---|---|---|---|
| V.P.C.S.L. Less Counts | 93-109973 | | 11-6-93 |

| 5. DATE AND TIME OF OCCURRENCE | 6. LOCATION OF OCCURRENCE | 7. DISTRICT | 8. LOCATION CODE |
|---|---|---|---|
| 11-6-93 | 4531 Natural Bridge | | |

| 9. VICTIM | 10. HOME ADDRESS |
|---|---|
| State of Missouri | 11. BUSINESS ADDRESS |

| 12. DATE RECEIVED | 13. TIME RECEIVED |
|---|---|
| 11-6-93 | |

| 14. RECEIVED FROM | NAME (print) | DSN | ASSIGNMENT |
|---|---|---|---|
| Billy | Jackson | 1403 Desoto | St Louis Mo |

| 15. RECEIVED BY | NAME (print) | ADDRESS |
|---|---|---|
| Det. | | |

| 16. OWNED BY | ADDRESS |
|---|---|
| Unknown | |

| 17. QUANTITY | DESCRIPTION |
|---|---|
| - | $775.00 U.S Currency |

53

| 18. RECEIVED BY | SIGNATURE | DSN | 19. RELEASED BY | SIGNATURE |
|---|---|---|---|---|
| 20. [illegible] | OFFICER | ASSIGNMENT | (SIGNATURE) | PROPERTY CLERK |
| 21. [illegible] | | ATTIRE | 22. TELETYPE NO. | 23. REFERENCE NUMBER |

# METROPOLITAN POLICE DEPARTMENT - CITY OF ST. LOUIS
## PROPERTY RECEIPT

ORIGINAL REPORT ☒ SUPPLEMENTARY REPORT ☐
(INDICATE 'X' IN APPROPRIATE BOX)

FILE NO. FOR RECORDS DIV.

COMPLAINT NO 95-164930

| 1. TYPE OF INCIDENT | 2. ORIGINAL C.N. | 3. DIST. REPORTING | 4. DATE OF THIS REPORT |
|---|---|---|---|
| V.M.C.S.L. Poss. COCAINE | 95-164930 | 331 | 11-6-95 |

| 5. DATE AND TIME OF OCCURRENCE | 6. LOCATION OF OCCURRENCE | 7. DISTRICT | 8. LOCATION CODE |
|---|---|---|---|
| 11-6-95 22:00 | 4531 NATURAL BRIDGE BLVD. | 6TH | |

| 9. VICTIM | 10. HOME ADDRESS | 11. BUSINESS ADDRESS |
|---|---|---|
| STATE of Missouri | N/A | N/A |

| 12. DATE RECEIVED | 13. TIME RECEIVED |
|---|---|
| 11-6-95 | 22:00 |

| 14. RECEIVED FROM | NAME (print) | DSN | ASSIGNMENT |
|---|---|---|---|
| | Billy Jackson | 1403 | DeSoto Ave St. Louis, Mo. |

| 15. RECEIVED BY | NAME (print) | ADDRESS | |
|---|---|---|---|
| | Det. Bobby Crockett | DSN 2917 | 331 |

| 16. OWNED BY | NAME (print) | ADDRESS |
|---|---|---|
| UNKNOWN | | |

| 17. QUANTITY | DESCRIPTION |
|---|---|
| - | $775.00 U.S. Currency |

| 18. RECEIVED FROM | SIGNATURE | DSN | 19. RECEIVED BY | SIGNATURE |
|---|---|---|---|---|
| | | | | |

| 20. SUBMITTED BY | OFFICER | DSN | ASSIGNMENT | (SIGNATURE INDICATES RECEIPT OF PROPERTY ONLY) |
|---|---|---|---|---|
| | Det. Robert Froehlich | 6044 | 331 | 2917/331 |

| 21. SERGEANT'S INITIALS | 22. REVIEWING OFFICER | SIGNATURE | DSN | 23. TELETYPE NO. | 24. REFERENCE NUMBER |
|---|---|---|---|---|---|
| B.C. | Sgt. Wilson | | 2009 | | |

ADED • READ BY 1.3 MILLION ADULTS EACH WEEK
WEDNESDAY • 11.11.2009 • $1.00
ST-DISPATCH

GREENVILLE, IL
PO BOX 4000
FCI GREENVILLE
ATTN: EDUCAT
50938774 M11
**********

# Former St. Louis police officer gets 28 months

BY ROBERT PATRICK • rpatrick@post-dispatch.com > 314-621-5154



**Garrett**
Stole, made false arrest

**ST. LOUIS** • A former St. Louis police officer who stole drug money and then planted evidence and knowingly made a false arrest to cover his crimes was sentenced Tuesday to 28 months in federal prison.

Bobby Lee Garrett, 49, pleaded guilty in August of theft of government property, conspiracy to commit wire fraud, making false statements and misapplication of government funds, regarding crimes in 2007-08.

Roland Corvington, special agent in charge of the FBI here, issued a statement calling Garrett "the worst of the worst," noting that he "not only betrayed the citizens he had sworn to protect, he actually encouraged other officers to commit crimes."

The indictment of Garrett and his then-partner, Vincent T. Carr, last December triggered the review of over 1,000 state and federal prosecutions in which they were witnesses. Dozens of cases have been dismissed, and more are under review.

U.S. District Judge E. Richard Webber said Tuesday that the "fallout" would continue "for a long time."

Garrett told the court, "I'm not a bad person but a good person who made a bad decision." He said his actions should not cast a "shadow over the police department."

Defense lawyer Chet Pleban said Garrett should be remembered for his "entire career" of two decades, not his "missteps."

As part of the plea deal, prosecutors will drop three charges. Garrett must pay restitution to the department of an amount under dispute. Prosecutors say it's $38,290; Pleban says it's "well below that."

Carr, 47, was sentenced last month to a year in prison on corruption-related charges. Another of Garrett's former partners, Leo Liston, 35, was sentenced in September to three months.

The three were on the city's Crime Suppression Unit, aimed at catching chronic criminals.

Assistant U.S. Attorney Hal Goldsmith took pains in court Tuesday to praise what he called the 99.9 percent of officers who "every day do the right thing" and who helped nab Garrett. He said it was "extremely important" to send a message "to keep doing the right thing."

# Judge rejects ex-officer's claims of prosecutorial misconduct

BY ROBERT PATRICK • rpatrick@post-dispatch.com > 314-621-5154

**ST. LOUIS** • A federal judge has rejected claims that prosecutors committed misconduct in the case against a former St. Louis police officer accused of dealing drugs, planting evidence and stealing cash on the job.

In an opinion released Wednesday, U.S. District Judge E. Richard Webber also rejected defendant Bobby Lee Garrett's attempts to get the trial moved away from St. Louis and to disqualify the entire U.S. attorney's office here from the case.

Garrett's lawyer, Chet Pleban, lodged the accusations in April, claiming in a pre-trial motion that then-U.S. Attorney Catherine Hanaway and St. Louis Circuit Attorney Jennifer Joyce committed misconduct by talking to the Post-Dispatch about the case.

In a Feb. 23 article, Hanaway and Joyce said that over 1,000 criminal cases had been thrown into doubt by the indictments of Garrett and fellow officer Vincent Carr in December, and Carr's guilty plea Feb. 13.

Pleban accused prosecutors of trying to taint the case with inappropriate and unethical pre-trial publicity and trying to create the impression that Garrett is a liar and "guilty of additional uncharged crimes."

Pleban also claimed that federal prosecutors committed another violation by failing to warn defense attorneys who had more than 50 clients with cases involving Garrett that the two were under investigation.

Under the 1963 U.S. Supreme Court case Brady v. Maryland, prosecutors have an obligation to release information that is favorable to the defense.

Assistant U.S. Attorney Hal Goldsmith, in his response, called Pleban's claims "ridiculous" and "frivolous" and said none was based on "law or fact."

Webber wrote that Hanaway's comments were an appropriate way of informing the public of attempts to "ensure that innocent persons are not in jail as a result of police wrongdoing" and remedy any wrongdoing.

Webber said there was not enough pre-trial publicity to affect the case, and that he would not bar Goldsmith or his officemates from prosecuting the case. The judge also said that there did not appear to be any Brady violations, and Pleban did not have standing to assert a violation on behalf of other lawyers' clients.

Garrett's trial is set for July 20.

Saturday-December 13, 2008 St. Louis Post-Dispatch



# Two city detectives accused of dealing in drugs

**The accused officers served in a special Crime Suppression Unit.**

By Robert Patrick and Jeremy Kohler
ST. LOUIS POST-DISPATCH

**ST. LOUIS** — FBI agents arrested two St. Louis police officers Friday after the men were indicted on charges of planting evidence, stealing money, arresting an innocent man and dealing in drugs.

Both officers, Bobby Lee Garrett, 48, and his partner, Vincent Carr, 46, were suspended without pay following their arrest, which has triggered a review by prosecutors of cases they handled.

FBI Special Agent John Gillies said an investigation of the two officers and others is continuing.

Carr faces charges of distributing a controlled substance, conspiracy to commit fraud, making false statements and obstruction of justice. Garrett faces the same charges, as well as theft of government property.

A grand jury indictment against them was handed down Thursday and unsealed Friday.

Garrett is accused of stealing $3,500 in drug sale proceeds in August 2007 and $2,000 the next month. Both men were involved in marijuana dealing in August 2007, the indictment charges, although details about that were scarce.

The most detailed allegation concerns the search of a two-family dwelling in the 1400 block of Arlington Avenue in June 2008.

Garrett and Carr had obtained a search warrant June 5 for a home on the first floor, claiming that a man known only as "Black" was selling crack cocaine and storing money and drugs there.

Officers did seize drugs and guns from the first floor the next day, the charges say. But Garrett is accused of taking drugs, about $32,000 cash and a loaded pistol from the second-floor residence and putting them on the first floor, keeping all but $3,710 of the cash.

The search warrant did not cover the second-floor apartment, and Carr and Garrett never told prosecutors about that search, the charges state. They also never told prosecutors that the second-floor resident had confessed to having drugs, cash and a gun and told officers where to find it, or included that information in police reports, prosecutors say. That man was not charged.

Carr and Garrett did arrest the building's owner and booked him on charges involving the drugs and contraband found in the house. Carr later asked prosecutors not to file charges against him.

Both men lied to FBI agents investigating the case and hid their notes from the arrest and search, the indictment alleges.

Carr could not be reached for comment Friday.

"Anybody can make allegations," said Garrett's lawyer, Chet Pleban.

"I have been in this line of work for 34 years and it comes as no shock to me that people who are accused of criminal acts and have a criminal history make complaints against police officers," he said. "Certainly, I'll be anxious to see what they think they can prove."

A statement from the Police Department said it had cooperated with the FBI for months and had removed both men from street duty upon learning of the investigation.

Both were on the Crime Suppression Unit, created in January 2007 by then-Chief Joe Mokwa to address a rising crime rate. The unit was staffed with 55 officers — one of the department's biggest deployments.

Officers accustomed to wearing uniforms and driving marked patrol cars were issued unmarked cars and allowed to dress in plain clothes. They were given freedom to identify crime hot spots and aggressively pursue chronic criminals.

By year's end, the unit had made 1,625 arrests, seized 257 weapons and recovered 359 stolen vehicles, the department said. Mokwa repeatedly credited the unit for driving down the city's crime rate.

U.S. Attorney Catherine Hanaway said Friday that her office has either delayed or declined to file cases in which Carr and Garrett were involved. "Since we became aware of the allegations contained in the indictment, we have carefully scrutinized any case that these officers have been involved in," she said.

St. Louis Circuit Attorney Jennifer Joyce said her office was reviewing cases brought by the officers and that a supervisor would review each to see how it might be affected by the federal charges.

Hanaway and Joyce both acknowledged that the charges may trigger complaints or appeals from those convicted in cases involving the two officers.

rpatrick@post-dispatch.com | 314-621-5154
jkohler@post-dispatch.com | 314-340-8337

# Recordings to be used against officers

## Up to 25 hours of video and audio will be presented in case against two in city, prosecutors say.

By Heather Ratcliffe
ST. LOUIS POST-DISPATCH

**ST. LOUIS** • Federal prosecutors expect to present up to 25 hours of video and audio recordings at a trial next month for two St. Louis police officers accused of corruption.

The scope of the surveillance was revealed in court Wednesday as an attorney began efforts to limit admissibility of evidence in the case against Bobby Lee Garrett, 48. The co-defendant, Vincent Carr, 46, appeared in court in St. Louis earlier in the day to waive his right to file pretrial motions.

Garrett and Carr were indicted Dec. 11 on charges accusing them of planting evidence, stealing money, arresting an innocent man and dealing in drugs.

U.S. District Judge W. Richard Webber ruled that the two must be tried together. Because Carr has not waived his right to a speedy trial, prosecutors will present their case against both beginning Feb. 25.

Carr is charged with distributing a controlled substance, conspiracy to commit fraud, making false statements and obstruction of justice. Garrett faces the same charges, plus theft of government property.

Chet Pleban, the attorney for Garrett, argued Wednesday that there was not enough time to review the mountain of recordings, photographs and documents the government handed over on Dec. 23.

"I'm preparing a defense in a two-month period of time while the government has had a year and a half to develop their case," Pleban complained during the hearing before U.S. Magistrate Judge Thomas Mummert.

Garrett and Carr were suspended without pay after their arrest, which has triggered a review by prosecutors of cases in which they would be witnesses.

Both were with the Crime Suppression Unit, a plainclothes detail created in 2007 to address a rising crime rate.

hratcliffe@post-dispatch.com | 314-621-5804

AND NEWSPAPER • READ BY 1.3 MILLION ADULTS EACH WEEK

THURSDAY • 11.11.2010 • $1.00

POST-DISPATCH

GREENVILLE, IL 62245
100 S RTE 40
CHEAD OF PRISONS

# Corruption ends man's prison term

Judge orders release in drug case because it centered on testimony by discredited city police officer.

BY TIM O'NEIL
toneil@post-dispatch.com • 314-340-8132

**ST. LOUIS** • A man imprisoned for 12 years on a drug conviction walked free Wednesday as prosecutors kept a promise to review old cases that depended upon the word of any of several discredited city police officers.

Stephen Jones, 36, of St. Louis, was released by U.S. District Judge Carol E. Jackson. Earlier in the day, U.S. Attorney Richard G. Callahan recommended the move because the linchpin of Jones' conviction in 1998 was testimony by former Officer Vincent T. Carr, who pleaded guilty last year of corruption in a different drug case.

Jones was the first — but might not be the last — to walk as federal and state prosecutors near completion of a review of about 1,000 convictions.

Carr and his former partner, ex-Officer Bobby Lee Garrett, admitted planting evidence and stealing money in other drug cases and were themselves sent to federal prison, Carr for a year and Garrett for 28 months. Another of Garrett's

## Police corruption ends prison term at 12 years for man in drug case

onetime partners, Leo Liston, was sentenced to three months on a related conviction.

Jones left the federal prison at Yazoo City, Miss., about 500 miles south of St. Louis, on Wednesday afternoon as relatives were driving south to pick him up. His lawyer, Richard K. Dowd, of St. Louis, said it was "huge news for Stephen Jones. ... He will be a free man, as he should have been all along."

On Oct. 29, 1997, Carr and another officer entered Jones' home at 2802 Missouri Avenue with a search warrant. Carr said he seized a bag containing almost 3 ounces of crack cocaine that he saw Jones drop on the kitchen floor. Jones was convicted in 1998 and sentenced to 20 years, in part because of a prior conviction.

But because other officers were not in the kitchen, "there is no credible independent evidence corroborating Carr's testimony," Callahan's petition says.

The U.S. attorney stopped short of declaring Jones innocent. "No one reasonably believes that Officer Carr planted $15,000 worth of illegal drugs in the residence," Callahan said in a formal statement. "It is more of a question of whose drugs. I would characterize the matter as a case of reasonable doubt rather than a case of actual innocence."

Responded Dowd, "In the United States, we are innocent until proven guilty, and Stephen Jones has maintained his innocence from the beginning."

Jones had filed several appeals in the years after his conviction but never won one until Wednesday. In 2003, Judge Jackson herself denied one of those appeals.

Callahan said his office is close to acting in another questionable case that could greatly shorten the prison time of another man, who must complete another sentence. He declined to identify that convict.

Callahan said a similar review already reduced the total time faced by Corey Cox, who remains in prison on other drug offenses. But he said he doubts his office will seek additional reductions.

All told, federal prosecutors reviewed about 50 cases.

Rachel Smith, an assistant to St. Louis Circuit Attorney Jennifer Joyce, said her office is close to completing a review of more than 800 circuit court cases that might have been tainted by corrupt police. Smith said they have winnowed it to a small number that rest solely upon the word of a discredited officer, and that investigators are interviewing other people involved in those cases to help determine a next step.

Smith said the office intends to complete the work by year's end, and declined to predict whether any inmate will end up free from a state conviction. She said most of the 800 cases involved guilty pleas. "When someone admits responsibility, that limits us in this matter," she said.

PUBLIC SAFETY

# Former city officer pleads guilty of theft

BY ROBERT PATRICK •
rpatrick@post-dispatch.com >
314-621-5154

**ST. LOUIS** • A former St. Louis police officer pleaded guilty of a federal felony Friday and admitted stealing and splitting $8,000 in drug-linked cash with at least two other officers.

Leo Liston, 34, pleaded guilty of misapplication of government funds and admitted taking the money from a beauty shop in the 1100 block of South Kingshighway on June 11. Liston, Officer Bobby Lee Garrett and others searched the shop and found 5 ounces of marijuana packaged in small baggies, a .44-caliber revolver and $12,000 cash, according to Assistant U.S. Attorney Hal Goldsmith and the police report, obtained by the Post-Dispatch under Missouri's Sunshine law.

Officers turned in the gun, the pot and $4,055 to the department. Liston, Garrett and at least one other officer split the rest of the cash, Goldsmith said.

The portion of the police report released to the Post-Dispatch does not name any other officers involved.

A beauty shop employee said the owner did not want to comment about the incident.

Garrett and his partner, Vincent T. Carr, were indicted in December and accused of planting evidence, stealing money and dealing drugs in cases unrelated to the beauty shop incident.

Garrett has pleaded not guilty, and he and his lawyer, Chet Pleban, have been vigorously fighting the charges. Pleban could not be reached Friday for comment.

Carr pleaded guilty in February and said that he and Garrett split $28,000 that they had taken from a resident of the 1400 block of Arlington Avenue on June 6, 2008. Carr also accused Garrett of planting drugs, a gun and money at that address and said that he and Garrett lied on police reports, court documents and to the FBI. In that case, as in the June 11 incident, the person allegedly responsible for the cash and drugs was not charged.

The charges against Garrett and Carr triggered a review of over 1,000 state and federal criminal cases in which they were involved. Liston's indictment and plea mean more will be added to that list.

Liston, like Garrett and Carr, was on the Crime Suppression Unit, where officers often wore plain clothes, drove unmarked cars and were given more freedom to aggressively pursue chronic criminals.

Liston resigned in April, four days before he was indicted. He is scheduled to be sentenced July 30 and could face probation or up to six months in prison.

READ BY 1.3 MILLION ADULTS EACH WEEK

TUESDAY • 11.03.2009 • $1.00

POST-DISPATCH

# Fallen city cop talks of conflict, pressure to steal

He reports warnings about partner, says he tried to get transferred.

BY ROBERT PATRICK
rpatrick@post-dispatch.com > 314-621-5154

**ST. LOUIS** • Leo Liston can tell you exactly when he went from good cop to bad cop.

It was June 11, 2008. He and other officers from the St. Louis police crime suppression unit had seized $12,000 in suspected drug money, a .44-caliber revolver and 5 ounces of marijuana at a beauty shop near Forest Park.

Liston was the lead officer, the one responsible for writing the report and logging the evidence. And for turning in the cash.

"I had no intention of taking it," he said in a recent interview after being sentenced to federal prison for doing just that.

Liston said that for weeks, he had been under increasing pressure from one of his partners, Officer Bobby Lee Garrett.

By the end of 2008, Garrett would be indicted in federal court, accused of stealing more than $28,000 and splitting it with another officer earlier that year. He also would be accused of stealing $3,500 in drug money in August 2007, and $2,000 the next month.

After Garrett's indictment, some attorneys who regularly defend accused street criminals told the Post-Dispatch that their clients had been complaining for years about being robbed by him.

In the interview, Liston said he had hoped after the beauty shop raid that a supervisor would spot him with the seized cash and take the decision — the decision to steal — out of his hands.

## LISTON

Fallen city cop talks of conflict, pressure to steal

Instead, he said, Garrett reached him first and pulled him into a private room.

"Look, man, we ain't turning that in," Liston recalls Garrett saying.

### WARY OF PARTNER

Since December, Liston, Garrett and seven other current or former St. Louis police officers have been charged with job-related crimes that involved lying, planting evidence and stealing from drug dealers and thieves.

Two more have been accused by the department and defense lawyers of lying in search warrant affidavits, triggering a wider review. One officer was fired and another suspended after a surveillance video contradicted their claim of an assault.

The incidents triggered the dismissal of dozens of prosecutions that depended on the officers' credibility, and the review of hundreds more.

Liston pleaded guilty in May of misapplication of government funds. After being sentenced later to three months in prison — flanked by his wife and sitting across from his lawyer, Neil Bruntrager — he offered a rare interview and an opportunity to try to explain what makes an honest officer toss away his career.

In a small conference room in the federal courthouse, Liston was, by all appearances, the earnest, eager cop he portrayed himself to be. The onetime 6th District "officer of the year," tall and slim in a pinstripe black suit with suspenders, stressed that he was not trying to make excuses.

He emphasized that bad cops are "not common."

In the crime suppression unit, he and Garrett often worked in plain clothes, driving plain cars, with a mandate to aggressively pursue chronic criminals.

Liston said he had tried for months to obtain a transfer, concerned about gossip that Garrett was dishonest.

"I heard it from the streets first," he said.

"BG. BG. Bobby Garrett. You'd think he (was) a giant the way they talk about him," Liston said.

Friends would approach Liston in a club, he said, with a warning: "Get away from him. He ain't right."

Liston said he felt that "the streets" were looking out for his interests "more so than the Police Department." He said it was because "the streets knew what kind of person I was."

Liston said he was always fair and the type of cop who could wade into a tinderbox of gang members or drug dealers and calm things down. He said he grew up among those same drug dealers in the Ville neighborhood, and made it out to get a good job and help his mother and siblings.

"I understood the streets. I grew up in the streets, but I knew enough to separate myself from the streets," he told a reporter.

Liston said he ignored the early warnings about Garrett. "Then I started seeing things," he said. Liston said there was nothing obvious: no pocketing of drug cash in plain view or spoken deals to share the spoils. No hard evidence. Just suspicions.

Liston said the department is like the streets, with a "no snitch atmosphere."

"What do you do?" he said. Tell a supervisor, "Hey I think something happened?"

Liston said he tried many times to get transferred and even spoke to a "colonel" whom he would not name.

Garrett made light of his partner's concern for his reputation, Liston said. "He would always, you know, mess with me," asking, "What? You scared of something?"

And then it was Liston's turn to steal.

After Garrett suggested taking the money that June 11, Liston said he remembered thinking, "Let me do this and get out of Dodge – step up my efforts to get away."

But he also heard another voice in his head: "At the time, I knew it would probably come back and bite me."

Liston took $3,000. He said Garrett took $2,000. Liston won't say who got the remaining $3,000, although the lawyer for another of Garrett's partners sentenced to prison – Vincent T. Carr – mentioned in court that his client got $500.

"I can't even tell you what I spent it on," Liston said. But in retrospect, he said, "I spent nine years on the line for $3,000."

As part of his sentence, he has to pay it back to the department.

Liston expects to finish barber school before he heads off to prison. A shop frequented by his former colleagues has offered him a job.

In August, Garrett pleaded guilty of theft and other felonies in a deal for 28 months in prison.

**QUESTIONS ON STORY**

The department turned down a reporter's request for copies of Liston's transfer requests, saying they were personnel records and not subject to Missouri's Sunshine Act.

His lawyer, Bruntrager, said Liston had copies of five e-mails requesting a move but did not produce them for a reporter.

A department spokeswoman, Erica Van Ross, said, "There is no way he would have been forced to stay where he was uncomfortable with officers' behavior."

She also said, "We don't know who that colonel was, and no one is ever held in a unit if they want to get out, especially these specialized units."

In an interview with Post-Dispatch reporters and editors last week, Police Chief Dan Isom said 98 percent of officers are hardworking, and the actions of a few were creating a mistrust of all.

He acknowledged a perception that a "blue wall of silence" sometimes protects corrupt officers but said he is trying to change the culture to make "the outsider" the one who doesn't tell the truth and cooperate with internal affairs investigators.

Garrett's lawyer, Chet Pleban, declined to make a detailed response to Liston's claims while Garrett's sentencing is pending.

"If he's making comments like that, then the record needs to be disputed with some factual accuracy," Pleban said. But, he added, "Now is not the time."

The lawyer for Carr declined to speak without consulting his client. Carr has pleaded guilty of conspiracy to commit wire fraud and other felonies and has been sentenced to one year in prison.

With Garrett's sentencing pending, Assistant U.S. Attorney Hal Goldsmith said he could not comment on Liston's case.

At Liston's sentencing in federal court last month, however, Goldsmith said that he was "in some way, torn." "This defendant was an officer who got thrown into the same car, as it were," he said.

Investigators viewed Liston as a potential witness to Garrett's and Carr's crimes and approached him in that way, Goldsmith said, and Liston agreed to cooperate, to break the police culture of "Don't talk about it."

But Liston never volunteered that he also had stolen money, Goldsmith said.

Liston was caught after investigators pulled files in every case where officers seized money, and began asking questions, Bruntrager said.

He also said Liston would probably not have been caught if he had kept quiet.

**MICHAEL JAMES HOLMES, Movant, v. UNITED STATES OF AMERICA, Respondent.**
**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI, EASTERN DIVISION**
**2011 U.S. Dist. LEXIS 109425**
**No. 4:08-CV-1142 (CEJ)**
**September 26, 2011, Decided**
**September 26, 2011, Filed**

**Editorial Information: Prior History**

United States v. Holmes, 231 Fed. Appx. 535, 2007 U.S. App. LEXIS 19545 (8th Cir. Mo., 2007)

**Counsel** For Michael James Holmes, Petitioner: Stephen R. Welby, LEAD ATTORNEY, WELBY LAW FIRM, St. Louis, MO.

For United States of America, Respondent: Matthew Drake, Roger A. Keller, Jr., LEAD ATTORNEYS, OFFICE OF U.S. ATTORNEY, St. Louis, MO.

**Judges:** CAROL E. JACKSON, UNITED STATES DISTRICT JUDGE.

**Opinion**

**Opinion by:** CAROL E. JACKSON

**Opinion**

**MEMORANDUM**

This matter is before the Court on the motion and amended motion of Michael James Holmes to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255. The United States has responded, and the issues have been fully briefed.

On June 28, 2006, Holmes was found guilty of possession of more than 50 grams of a substance containing cocaine base with intent to distribute, in violation of 21 U.S.C. § 841(a)(1) (Count I), and possession of firearms in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c). Because of his prior felony drug conviction, Holmes was subject to a mandatory minimum sentence of 20 years' imprisonment for Count I. See 21 U.S.C. § 841(b)(1)(A)(iii). He was sentenced on November 13, 2006, to a 240-month term of imprisonment on Count I and a consecutive 60-month term of imprisonment on Count II. The judgment was affirmed on appeal. United States v. Holmes, 231 Fed. Appx. 535 (8th Cir. 2007).

As grounds for relief in the instant motion, Holmes asserts allegations of ineffective assistance of counsel at trial and on appeal. He also challenges the constitutionality of a search conducted by the police and the admission of certain evidence at trial. Finally, Holmes claims that he is entitled to a new trial based on newly discovered evidence of criminal activity and official misconduct by two police officers who testified against him.



© 2014 Matthew Bender & Company, Inc., a member of the LexisNexis Group. All rights reserved. Use of this product is subject to the restrictions and terms and conditions of the Matthew Bender Master Agreement.

18498044

## I. Background

### A. Evidence Presented at Trial

In December 2003, an informant told St. Louis police officer Shell Sharp that cocaine base was being sold from a house located at 5894 Cates Avenue by a man identified as "Big Mike." The informant described Big Mike as a 270-pound black male, between 40 and 45 years old. According to the informant, Big Mike kept a firearm in the residence. On December 9, 2003, Sharp and St. Louis police officer Alan Ray established surveillance near the residence and saw a man who fit the description given by the informant. At trial, Sharp identified the man as Holmes. During the surveillance, Holmes was seen coming out of the residence carrying a brown bag from which he would remove an item and hand it to another individual. Sharp testified that he observed Holmes engage in three of these "hand-to-hand" exchanges which appeared to be drug transactions.

Sharp and Ray approached the house and knocked on the door. Maetta Griffin, Holmes' grandmother, answered and identified herself as the owner of the residence. After the officers explained what had led them to her home, Ms. Griffin signed a consent to search form. Sharp and Ray entered the house and saw Holmes coming down the stairs from the third floor. After Holmes saw the officers, he turned and dropped a brown paper bag as he ran back up the stairs. Sharp retrieved the bag and found that it contained 239 grams of cocaine base inside a plastic bag. In a third floor bedroom, the police found a loaded shotgun, ammunition, an open safe containing $4,000 in U.S. currency, six grams of heroin, and paraphernalia (glass measuring cups, a digital scale, a roasting pan, plastic baggies, and a plastic bag of rubber bands) associated with drug distribution. Also in the room was a letter addressed to Holmes at 5894 Cates. As the police were leaving the house, they found a second firearm behind the front door. Holmes was taken into custody and was given the Miranda warnings. According to the testimony, Holmes told the officers that he lived in the bedroom on the third floor.

Sharp testified that Holmes and his grandmother were the only people found inside the house. There were two other black men at the residence, Keith Valentine and Michael Green. Sharp testified that both were found outside the residence. However, in his police report, Sharp wrote that the two men were located during a sweep search of the first floor of the house.

Officer Sharp was the sole witness to testify about the suspected drug transactions observed during the surveillance and about Holmes' possession of the brown bag inside the residence. Officer Ray did not testify because he was on military duty in Iraq at the time of trial.

A single fingerprint belonging to Holmes was found on bag of rubber bands. Officer Sharp and an expert witness testified that rubber bands are commonly used by drug dealers to wrap their currency. The expert witness further acknowledged that there are a "million uses" for rubber bands. United States v. Michael James Holmes, No. 4:05-CR-522 (CEJ) (E.D.Mo.), Doc. # 84, p. 366. There was no evidence that the $4,000 found in the safe were secured by rubber bands. Also, Holmes's fingerprints were not found on any other item of evidence that was seized. Fingerprint analysis was performed on the paper and plastic bags that contained the cocaine base, the glass measuring cups, the scale and the roasting pan. Some of the fingerprints found on these items were unidentifiable and some belonged to Sharp. There was no fingerprint analysis of the firearms.

Pursuant to Rule 404(b), Fed. R. Evid., the government presented testimony concerning the execution of a search warrant at 1459 Goodfellow on January 5, 1995. According to St. Louis police detective **Bobby Garrett**, Holmes was arrested at the residence after the police found cocaine base in his possession. **Garrett** further testified that Holmes made an oral statement admitting that he sold drugs. On the same day of his arrest, Holmes made a complaint to the Internal Affairs Division of the



© 2014 Matthew Bender & Company, Inc., a member of the LexisNexis Group. All rights reserved. Use of this product is subject to the restrictions and terms and conditions of the Matthew Bender Master Agreement.

18498044

St. Louis Metropolitan Police Department in which he claimed that **Garrett** and other officers had planted drugs in his house and that they had physically and verbally abused him. The IAD conducted an investigation, and the charges against the officers were not sustained. Holmes later entered an Alford plea to drug charges stemming from the January 5, 1995 incident. 1

At trial, Holmes testified that he once rented the third floor bedroom at the Cates residence and that others, including Keith Valentine, also rented rooms in the house. He testified that he moved out in February 2002; however, mail addressed to him continued to be delivered there. On December 9, 2003, Holmes was called to the Cates residence. He left work and arrived there around 3:00 p.m. Several of his relatives and Keith Valentine were there. He visited with them in the third floor bedroom which was then occupied by one of his relatives, Dwayne Hollinshed. After awhile, the group decided to leave and all but Holmes went outside. Holmes went downstairs where he stopped to talk to his grandmother. He then returned to the third floor to use the bathroom. Holmes testified that he was in the third floor hallway when a police officer (not Sharp) arrested him. He testified that he did not have a bag in his possession. Holmes denied ownership and possession of the drugs, firearms and other evidence found in the residence.

**B. Evidence Discovered after Trial**

In 2009, Sharp became the target of an Internal Affairs investigation into police corruption. There were allegations that Sharp had made false statements about informants and surveillance activities in affidavits that were submitted to obtain search warrants. It was also alleged that he gave perjured testimony in court. According to media reports, concerns about Sharp's credibility prompted the prosecuting attorney for St. Louis City to drop cases in which Sharp had been involved.

In 1998, Sharp testified for the government at the trial of Stephen Jones, who was prosecuted for possession of cocaine base with intent to distribute. According to the testimony, Sharp and Detective Vincent Carr saw Jones drop a bag of cocaine base as he was running down the hallway of a house. Jones maintained that the officers lied about his possession of the drugs. In February 2009, Carr pled guilty to wire fraud, making a false statement, and obstruction of justice-charges stemming from conduct he engaged in as a police officer. Jones filed a motion for a new trial based on the newly discovered evidence of Carr's misconduct. The government conceded the motion and joined in Jones's motion for a certificate of actual innocence. In doing so, the government stated that it could not vouch for the credibility of either Carr or Sharp. United States v. Stephen Jones, No. 4:10-CV-1748 (CEJ), 2011 U.S. Dist. LEXIS 51029 (E.D. Mo.)[Doc. # 8 and # 14].

In August 2009, Detective **Garrett** pled guilty to felony charges of theft of government funds, wire fraud, making a false statement, and misapplication of property under the control of a federally-funded state agency. All of the charges arose from Garrett's misconduct in 2007 and 2008 while acting as police officer. **Garrett** admitted that he stole money and other property that was seized during searches that he and other officers conducted, and that he and his accomplices made false statements and falsified documents to conceal their actions. **Garrett** was sentenced to a 28-month term of imprisonment.

In 2010, Matthew Cox filed a § 2255 motion to vacate alleging that in 1997 **Garrett** submitted a false affidavit in applying for a search warrant. Matthew Cox v. United States, No. 4:10-CV-1572 (CEJ), 2010 U.S. Dist. LEXIS 131437 (E.D.Mo.) [Doc. # 1]. The government initially opposed the motion, arguing that the crimes to which **Garrett** pled guilty were committed 10 years after Cox's trial and, therefore, Garrett's conviction did not justify a new trial based on newly discovered evidence. Id. [Doc. # 4]. However, the government later stipulated that Cox had made "a substantial preliminary showing, by sworn offer of proof and otherwise, that false statements and omissions may have been made with reckless disregard for the truth by the sole Affiant to the aforesaid search warrant



© 2014 Matthew Bender & Company, Inc., a member of the LexisNexis Group. All rights reserved. Use of this product is subject to the restrictions and terms and conditions of the Matthew Bender Master Agreement.

sufficient to mandate a testimonial hearing pursuant to Franks v. Delaware, 438 U.S. 154, 155-156, 98 S. Ct. 2674, 57 L. Ed. 2d 667 (1978)." Id. [Doc. # 9]. The government further stipulated that it "would be unable to offer relevant credible evidence in defense of the affidavit in support of the search warrant in the event of a Franks hearing." Id.

**II. Discussion**

A movant seeking a new trial on the basis of newly discovered evidence must prove that (1) the evidence was unknown or unavailable to him at the time of trial; (2) the failure to discover the evidence was not due to his lack of diligence;(3) the evidence is material and is not merely cumulative or impeaching; and (4) the evidence is such that it would probably result in an acquittal upon retrial. United States v. Winters, 600 F.3d 963, 970 (8th Cir.), cert. denied, ___ U.S. ___, 131 S. Ct. 255, 178 L. Ed. 2d 169 (2010); United States v. Fuller, 557 F.3d 859, 863-864 (8th Cir. 2009). "The standard for a new trial on the basis of newly discovered evidence 'is rigorous because these motions are disfavored.'" United States v. Hollow Horn, 523 F.3d 882, 889 (8th Cir. 2008), quoting, United States v. Baker, 479 F.3d 574, 577 (8th Cir. 2007).

In this case, there is no disagreement between the parties as to whether the evidence was unavailable to the Holmes or whether it could have been discovered through the exercise of due diligence. What is in dispute is whether Holmes has satisfied the remaining criteria for obtaining a new trial based on newly discovered evidence.

Evidence that is merely impeaching does not meet the materiality requirement for a new trial based on newly discovered evidence. See United States v. Coplen, 565 F.3d 1094, 1096 (8th Cir. 2009) (new trial is not warranted when the additional evidence would be merely impeaching). Here, the government argues that the newly discovered evidence could only serve to impeach the police officers' testimony. The government also argues that evidence of official misconduct by Sharp and **Garrett** is not likely to result in an acquittal if a new trial is granted. In support of this argument, the government cites to English v. United States, 998 F.2d 609, 612 (8th Cir.), cert. denied, 510 U.S. 1001, 114 S. Ct. 573, 126 L. Ed. 2d 472 (1993), for the proposition that the Court must consider "the other witnesses who testified at the trial, including Petitioner, and all of the other evidence that the Government introduced at the trial." *Govt's Supplemental Response*, p. 9 (Doc. # 33).

There was no witness other than Sharp who testified about the information provided by the informant. There was no witness other than Sharp who testified to seeing Holmes engage in hand-to-hand drug transactions outside the Cates residence. There was no witness other than Sharp who testified to seeing Holmes drop the bag of cocaine base and to the incriminating statements Holmes made upon arrest. Likewise, there was no witness other than **Garrett** who testified to Holmes 1995 admission of drug trafficking. The fact that the government now has two witnesses-Officer Ray and Officer John Weiter- who could corroborate Sharp's and Garrett's testimony is immaterial. The jury never heard Officer Ray or Officer Weiter, and Holmes did not have the opportunity to cross-examine them. In this important respect, this case differs from those in which newly discovered evidence of a witness's misconduct was deemed not material because of the existence of other, corroborating evidence presented at trial.

For example, in United States v. Antonio Harris, No. 4:07-CR-321 (CEJ) (E.D.Mo), this Court denied the defendant's motion for a new trial that was based on the newly discovered evidence of criminal conduct by a police officer who had testified against him at trial. The defendant had been found guilty of possession with intent to distribute cocaine base. The Court found that the defendant could not establish materiality because the officer's conviction arose from crimes he committed months after the defendant's trial, the convicted officer was not the person who found the cocaine base, and there was no challenge to the credibility of the officer who testified about finding the cocaine base.



© 2014 Matthew Bender & Company, Inc., a member of the LexisNexis Group. All rights reserved. Use of this product is subject to the restrictions and terms and conditions of the Matthew Bender Master Agreement.

18498044

Id. [Doc. # 136].

In Thompson v. United States, 2011 U.S. Dist. LEXIS 11159, 2011 WL 553794 (N.D. Ga. Feb. 3, 2011), the movant sought a new trial based on the criminal convictions of two police officers who had been involved in a search of his apartment. In denying the motion, the court pointed to the "substantial evidence" of the movant's role in drug trafficking that existed apart from the officers' misconduct:

> When the six officers entered the Oglethorpe Avenue apartment, they found four people inside, as well as over 100 grams of cocaine, 50 grams of crack cocaine, 318 doses of ecstasy, two guns, baggies, and scales. The drugs were found in a safe, in both bedrooms, in a closet, and in the kitchen. Believing that six officers planted all of that evidence and photographed it in the presence of four suspects requires a big stretch of the imagination.And in addition to the drugs, guns, and paraphernalia, the officers found "[d]ocuments that were undisputedly Thompson's," including three traffic citations that Thompson had received less than two miles from the Oglethorpe Avenue address and while driving a car owned by another occupant (who unquestionably was involved in the drug operation). . . . The police also found a Red Cross application filled out by Thompson and dated just one day before the search. . . . Finally, there was a list of phone numbers and nicknames-a drug dealer's address book-that matched Thompson's cell phone records. . . . All of these documents were found in one of the bedrooms, along with more than 100 grams of powder cocaine and 10 grams of crack. In addition to the amount of drugs, the paperwork that undoubtedly belonged to Thompson connected him to the Oglethorpe Avenue address and dispels any reasonable inference that the evidence against him was somehow faked.2011 U.S. Dist. LEXIS 11159, [WL] at *8 (citations omitted).The court also considered that movant gave inconsistent testimony at trial, and the evidence of his six prior felony convictions, his lies to the police about his identity, and his false testimony at an earlier hearing. 2011 U.S. Dist. LEXIS 11159, [WL] at *9. The court further noted that the movant "does not even argue that the evidence against him was fabricated; instead, he argues essentially that he could impeach the officers in a new trial in light of their later misconduct. But to the extent that is his goal, under *Jernigan* impeachment evidence alone is not enough to merit a new trial." Id. [ *citing* United States v. Jernigan, 341 F.3d 1273, 1287 (11th Cir. 2003)].

In contrast to Thompson, the evidence apart from Sharp's and Garrett's testimony (*i.e.*, the letter and the fingerprint) can hardly be considered "substantial" evidence of Holmes's involvement in illegal activity. Indeed, such evidence would have been insufficient to establish guilty beyond a reasonable doubt. Also, Holmes did not give conflicting or inconsistent testimony at trial, and there was no evidence that he had made false statements to the police or in any court proceeding. Further, Holmes has consistently maintained that he is innocent and that Sharp and **Garrett** lied in their testimony. The Thompson court also considered the fact that the police officers' convictions were based on conduct that occurred after movant's trial. That is not the case here. As discussed above, **the government has acknowledged that it cannot vouch for the credibility of testimony given by Sharp and Garrett 1997 and in 1998-some nine years before Holmes's trial**.

**III. Conclusion**

There has been no claim that the government knowingly presented perjured testimony at Holmes's trial and there is nothing to support such a claim. Indeed, it is the Court's firm belief that at the time of the trial the government had no reason to question the credibility of its witnesses. However, the witnesses have now been discredited, and the government would not have been able to meet its burden of proof with the remaining evidence. Thus, for the reasons discussed above, the Court finds that Holmes has met his burden of establishing his entitlement to a new trial based on newly



© 2014 Matthew Bender & Company, Inc., a member of the LexisNexis Group. All rights reserved. Use of this product is subject to the restrictions and terms and conditions of the Matthew Bender Master Agreement.

discovered. Because Holmes will receive a new trial, it is unnecessary to address his additional claims regarding the admissibility of evidence and ineffective assistance of counsel.

A separate Order granting the movant's request for relief will accompany this Memorandum.

/s/ Carol E. Jackson

CAROL E. JACKSON

UNITED STATES DISTRICT JUDGE

Dated this 26th day of September, 2011.

**Footnotes**

1

North Carolina v. Alford, 400 U.S. 25, 91 S. Ct. 160, 27 L. Ed. 2d 162 (1970)



© 2014 Matthew Bender & Company, Inc., a member of the LexisNexis Group. All rights reserved. Use of this product is subject to the restrictions and terms and conditions of the Matthew Bender Master Agreement.

18498044

U.S. Department of Justice

*United States Attorney*
*Eastern District of Missouri*

*Gary M. Gaertner, 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:

On October 2, 1997, Special Agent James Green provided Bryant Troupe $300.00 in cash as a one time relocation fee in order for Mr. Troupe to leave the Metropolitan St. Louis Area due to a threat that he received involving the case of United States v. Willie E. Boyd, S1-4:97CR301 SNL. After October 2, 1997 date, the United States Government provided money for the relocation of Mr. Troupe from the St. Louis Area for his safety in the United States v. Byron James Miller, 4:96CR365 CDP. The Government spent a total of $2,953.90 for this relocation. Mr. Troupe was provided $650.00 for food, $28.00 for transportation, and $2,268.00 for lodging in another location. The Government has provided no other resources to Mr. Troupe, nor has the Government entered into any agreements with Mr. Troupe regarding his testimony in the case of United States v. Willie E. Boyd, S1-4:97CR301.

I have also provided you with a copy of the testimony of Bryant Troupe 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 a copy of Mr. Bryant Troupe's Grand Jury testimony on May 28, 1997 and a copy of a written affidavit by Bryant Troupe which is dated September 27, 1997. I have also included a copy of Agent Jim Green's report dated 10-9-97 and a copy of a tape of a conversation between Sharon Troupe and

Bryant Troupe referenced in the report of 10-9-97.

Respectfully submitted,

EDWARD L. DOWD, JR.
United States Attorney

GARY M. GAERTNER, JR.
Assistant United States Attorney

U.S. Department of Justice

*United States Attorney*
*Eastern District of Missouri*

*Organized Crime Drug Enforcement*
*Task Force - South Central Region*

*U.S. Court and Custom House*
*1114 Market Street, Room 421*
*St. Louis, Missouri 63101*

*314-539-6851*
*FAX/314-539-2312*

February 21, 1997

Mr. Charles M. Shaw
Mr. John F. Garvey, Jr.
Via FAX

Subject: United States v. Miller and Kerr
4:96CR365CDP

The following information regarding the background of Government witness Bryant Troupe is being provided as Jencks and/or Brady material. You have previously been sent a copy of his RAP sheet. It is my position that none of the entries provides material appropriate for impeachment.

No formal written agreement exists between Troupe and the Government. The Government does not intend to prosecute Troupe for past drug-related, non-violent criminal conduct revealed in his testimony as long as he has been and remains truthful.

Funds have been provided to, or expended on behalf of, Troupe in the following amounts for the listed reasons by the listed agencies:

> From approximately 1983 to 1988, Troupe worked as an informant for the Velda City Police Department, where he was employed as a reserve officer for a short time in 1983. During that time, he provided information on criminal activities in the community on approximately 20 or more occasions. He did not testify in any of these cases. In some instances, he received no consideration. In others, he received $20 to $50 per case.
>
> From approximately 1988 to 1995, Troupe worked as an informant for the North County MEG Unit/ Northwoods Police Department. During that time, he provided information about narcotics and firearms which led to over 40 search warrants as well as other cases and other

arrests. His information was found to be consistently reliable. He did not testify in any of the resulting prosecutions. He received cash payments of from $20 to $50 per case.

In 1994, Troupe gave information to the Drug Enforcement Administration on one occasion. This led to the seizure of cocaine and marijuana. He did not testify. He received a $200 cash payment.

Troupe began working with the Federal Bureau of Investigation in 1994. At this time, he was still working with the MEG Unit with the FBI providing some financial and manpower support. On one occasion, the FBI paid Troupe $200 for a case he made for the MEG Unit.

From March of 1996 to the present time, Troupe has received the following consideration for his cooperation in the Miller/Kerr case: $4,500 cash, $750 expenses prior to 1/27/97, $650 for credit debt, and $1,160 for rental of secure housing as of 1/27/97.

Troupe has informed me that at various times since approximately 1989, he has participated in drug trafficking as a middleman or broker for Byron Miller. He received money for these services from Miller or others involved in the sales. This activity was not part of his supervised law enforcement cooperation.

Troupe has advised me that he has used and sold marijuana in the past.

Troupe also advised me that he did not report the above-described income as earnings, nor did he pay taxes on it. He has not been absolved of such tax obligation and has been so advised by me.