

TRIBAL JUSTICE NEWS
WEEK OF FEB. 17, 2010

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Justice Department Announces Streamlined Grant Solicitation for Tribal Communities (ASG)

Associate Attorney General Tom Perrelli announced on Feb. 16, 2010, that the Justice Department's grant-making components have created a streamlined approach for American Indian and Alaska Native tribal communities to apply for Fiscal Year (FY) 2010 funding opportunities. The Coordinated Tribal Assistance Solicitation (CTAS) will serve as a single solicitation for existing tribal government-specific grant programs administered by the Office of Justice Programs (OJP), Community Oriented Policing Services (COPS) and the Office on Violence Against Women (OVW). This move comes after consultation with tribal leaders, including sessions at the department's Tribal Nations Listening Session last year.

<http://www.justice.gov/opa/pr/2010/February/10-asg-147.html>

Man Pleads Guilty to Sexual Contact With a Child (U.S. Attorney for the District of South Dakota)

U.S. Attorney Brendan V. Johnson announced that Gerry J. Heck, age 62, of Isabel, S.D., appeared before U.S. District Judge Roberto A. Lange on Feb. 16, 2010, and pleaded guilty to an indictment that charged him with sexual contact with a child. The maximum penalty upon conviction is 10 years in custody, a \$250,000 fine, or both; three years of supervised release; and a \$100 special assessment.

<http://www.justice.gov/usao/sd/Media.html>

Lantry Man Pleads Guilty to Assaulting Resulting in Serious Bodily Injury (U.S. Attorney for the District of South Dakota)

U.S. Attorney Brendan V. Johnson announced that Corey Daniel Moran, age 24, of Lantry, S.D., appeared before U.S. District Judge Roberto A. Lange on Feb. 16, 2010, and pleaded guilty to the charge of assault resulting in serious bodily injury. The maximum penalty upon conviction is 10 years in custody, a \$250,000 fine, or both; three years of supervised release; and a \$100 special assessment.

<http://www.justice.gov/usao/sd/Media.html>

Myron Robert Lee charged with Assault (U.S. Attorney for the District of New Mexico)

Myron Robert Lee, 20, an enrolled member of the Navajo Nation, has been charged with assault resulting in serious bodily injury, the U.S. Attorney for the District of New Mexico announced on Feb. 16, 2010. The offenses allegedly occurred on or about Nov.

1, 2008, within the boundaries of the Navajo Nation Indian Reservation. The defendant was arraigned and pleaded not guilty to the charges.

http://www.justice.gov/usao/nm/pr/2010/tribal_justice_feb16/021610_arraignment_lee.pdf

Woman Charged with Theft from an Indian Tribal Organization (U.S. Attorney for the Eastern District of Oklahoma)

On Feb. 12, 2010, U.S. Attorney Sheldon J. Sperling announced that Gloria Ann Case, age 48, of Tahlequah, Okla., was charged with embezzlement and theft from an Indian Tribal Organization. The indictment alleges that beginning in about March 2005, and continuing until about May 2008, while an employee of the Cherokee Nation, the defendant embezzled in excess of \$1,000.00 belonging to the Cherokee Nation of Oklahoma. The charges arose from an investigation by the Cherokee Nation Marshal Service.

<http://www.justice.gov/usao/oke/press0210.html#case>

Swinomish Tribal Members Plead Guilty To Contraband Cigarette Scheme (U.S. Attorney for the Western District of Washington)

Two members of the Swinomish Indian Tribal Community, C. Marvin Wilbur, 71, his wife, Joan C. Wilbur, 72, and their daughters-in-law, April M. Wilbur, 44, and Brenda R. Wilbur, 49, pleaded guilty on Feb. 12, 2010, in U.S. District Court in Seattle to conspiracy to traffic in contraband cigarettes. The Wilburs owned and operated the Trading Post at March Point on the Swinomish Indian Reservation near Anacortes, Wash. They were indicted last July for a scheme to sell untaxed (contraband) cigarettes.

<http://www.justice.gov/usao/waw/press/2010/feb/wilbur.html>

Man Indicted for Robbery (U.S. Attorney for the District of South Dakota)

U.S. Attorney Brendan V. Johnson announced on Feb. 12, 2010, that a St. Francis, S.D., man has been indicted by a federal grand jury for robbery. Thomas M. White, age 22, appeared before U.S. Magistrate Judge Mark A. Moreno and pleaded not guilty to the indictment. The maximum penalty upon conviction is 15 years in custody, a \$250,000 fine, or both; three years of supervised release; and a \$100 special assessment.

<http://www.justice.gov/usao/sd/Media.html>

Grand Traverse Band of Ottawa and Chippewa Member Found Guilty of Abusive Sexual Contact (U.S. Attorney for the Western District of Michigan)

Steven Ray Anderson, 44, of Peshawbestown, Mich., was found guilty of abusive sexual contact without permission and attempted aggravated sexual abuse following a three-day jury trial presided over by U.S. District Court Judge Janet T. Neff, U.S. Attorney Donald

A. Davis announced on Feb. 11, 2010. Anderson lived on the Grand Traverse Band (GTB) of Ottawa and Chippewa Indian Reservation at the home of his girlfriend, located in Peshawbestown. According to testimony and exhibits, Anderson engaged in abusive sexual contact without permission against a female victim while at her home located on the GTB reservation. In addition, Anderson attempted an aggravated sexual abuse of another female victim at the Tribe's Medicine Lodge, which is also located on the reservation.

<http://www.justice.gov/usao/mie/press/index.html>

John Lee Gaddy Sentenced for Aggravated Sexual Abuse of Minor (U.S. Attorney for the District of New Mexico)

On Feb. 9, 2010, U.S. District Judge Judith C. Herrera sentenced John Lee Gaddy, 71, an enrolled member of the Navajo Nation, to 10 years in federal prison to be followed by five years of supervised release for the crime of aggravated sexual abuse of a minor. The offense occurred in Mariano Lake, N.M., within the boundaries of the Navajo Nation Indian Reservation.

http://www.justice.gov/usao/nm/pr/2010/tribal_justice_feb16/021610_sentencing_gaddy.pdf

Man Pleads Guilty to Abusive Sexual Contact (U.S. Attorney for the District of South Dakota)

U.S. Attorney Brendan V. Johnson announced that Wylie Wind, age 23, of Stephan, S.D., appeared before U.S. District Judge Roberto A. Lange on Feb. 9, 2010, and pleaded guilty to abusive sexual contact. The maximum penalty upon conviction is three years in custody, a \$250,000 fine, or both; a mandatory minimum of supervised release of not less than five years up to a maximum of life; and a \$100 special assessment to the Victim Assistance Fund.

<http://www.justice.gov/usao/sd/Media.html>

Kevin Falcon Pleads Guilty in U.S. Federal Court (U.S. Attorney for the District of Montana)

The U.S. Attorney's office announced that during a federal court session in Great Falls, Mont., on Feb. 9, 2010, before U.S. Magistrate Judge Keith Strong, Kevin Falcon, a 43-year-old resident of Poplar, Mont., pleaded guilty to being a felon in possession of a firearm. Sentencing is set for May 17, 2010.

<http://www.justice.gov/usao/mt/pressreleases/20100212081747.html>

Man Sentenced for Sexual Abuse of a Minor (U.S. Attorney for the District of Nebraska)

U.S. Attorney Deborah Gilg, the FBI and the Bureau of Indian Affairs announced on Feb. 9, 2010, that U.S. District Court Judge Laurie Smith Camp sentenced Ma-Na-Pe-Xoo-Nu-Ga Cleveland to two years imprisonment and three years of supervised release for his conviction for sexual abuse of a minor. Cleveland was employed by the Whirling Thunder Wellness Center in Winnebago, Neb., and served as the basketball coach to a team of teenaged girls.

http://www.justice.gov/usao/ne/press/feb/020810_cleveland%20snt.pdf

Jimmie Largo Sentenced for Aggravated Sexual Abuse (U.S. Attorney for the District of New Mexico)

On Feb. 8, 2010, U.S. District Judge Bruce D. Black sentenced Jimmie Largo, 39, an enrolled member of the Navajo Nation, to 14 years in federal prison to be followed by 10 years of supervised release for the crime of aggravated sexual abuse. The offense occurred in Prewitt, N.M., within the boundaries of the Navajo Nation Indian Reservation.

http://www.justice.gov/usao/nm/pr/2010/tribal_justice_feb16/021610_sentencing_largo.pdf

Garrison Man Sentenced for Voluntary Manslaughter (U.S. Attorney for the District of North Dakota)

Acting U.S. Attorney Lynn Jordheim announced that on Feb. 8, 2010, Jesse McKenna, 22, of Garrison, North Dakota, was sentenced before U.S. District Court Judge Daniel L. Hovland on a charge of voluntary manslaughter. Judge Hovland sentenced McKenna to serve six years and six months in federal prison, to be followed by three years of supervised release. McKenna was ordered to pay restitution of \$5534.21 and to pay a \$100 special assessment to the Crime Victim's Fund. Co-defendant Duane Bear received the same sentence on Jan. 25, 2010.

<http://www.justice.gov/usao/nd/pressreleases/2010/02-08-2010-McKenna%20Sentenced.pdf>

Ahdohlowah Esther Tonihka Sentenced for Theft from an Indian Tribal Organization (U.S. Attorney for the Eastern District of Oklahoma)

Sheldon J. Sperling, U.S. Attorney for the Eastern District of Oklahoma, announced on Feb. 8, 2010, that Ahdohlowah Esther Tonihka, age 63, of Eagletown, Okla., was sentenced to four years probation for embezzlement and theft from an Indian Tribal Organization. From about Oct. 10, 2008, until Jan. 2, 2009, Tonihka, an employee of the Choctaw Nation Travel Plaza, embezzled over \$26,000 by inflating the dollar amounts on gas receipts.

<http://www.justice.gov/usao/oke/press0210.html#tonihka>

Three More Defendants Sentenced in St. Croix Tribal Drug Investigation (U.S. Attorney for the Western District of Wisconsin)

Stephen P. Sinnott, U.S. Attorney for the Western District of Wisconsin, announced that three more defendants were sentenced on Feb. 8, 2010, in the St. Croix tribal land drug investigation: Linda Lightfeather, 49; Buck Zehner, 34; and Zehner's wife, Janeen Mosay, 40, all of Webster, Wis. U.S. District Judge Lynn S. Adelman, a visiting judge from the Eastern District of Wisconsin, sentenced these three defendants for their role in operating crack houses on St. Croix tribal lands from which numerous individuals distributed crack cocaine. With the sentencing, 19 defendants have now been sentenced as a result of this investigation into drug dealing on St. Croix tribal lands.

<http://www.justice.gov/usao/wiw/Press/February%20,%202010%20-%20Linda%20Lightfeather,%20Buck%20Zehner%20and%20Janeen%20Mosay%20Sentenced.pdf>

Woman Who Embezzled From Apache Tribal Vocational Rehabilitation Program to Serve Ten Months in Prison and Pay Almost \$30,000 in Restitution (U.S. Attorney for the Western District of Oklahoma)

Sanford C. Coats, U.S. Attorney for the Western District of Oklahoma, announced on Feb. 6, 2010, that Althea M. Wauhadooah, 34, of Chickasha, Okla., was sentenced by U.S. District Judge Stephen P. Friot to serve 10 months in federal prison for embezzlement from the Apache Tribe's Vocational Rehabilitation Program.

<http://www.justice.gov/usao/okw/>

Man Pleads Guilty to Escape from a Halfway House (U.S. Attorney for the District of South Dakota)

U.S. Attorney Brendan V. Johnson announced that Anthony Richard Medicine Crow, age 21, of Fort Thompson, S.D., appeared before Chief U.S. District Judge Karen E. Schreier on Feb. 5, 2010, and pleaded guilty to escape. The maximum penalty upon conviction is five years in prison and/or a \$250,000 fine. Medicine Crow completed part of a federal prison sentence and was released to a halfway house to serve the remainder of his time. While at the halfway house, he was furloughed so that he could seek employment. Medicine Crow failed to return from his furlough and was placed on escape status.

<http://www.justice.gov/usao/sd/Media.html>

Kale Yazzie Pleads Guilty to Involuntary Manslaughter (U.S. Attorney for the District of New Mexico)

On Feb. 5, 2010, Kale Yazzie, 22, an enrolled member of the Navajo Indian Tribe, pleaded guilty before U.S. Magistrate Judge Lorenzo F. Garcia to the charge of involuntary manslaughter. The offense occurred near Mariano Lake, N.M.

<http://www.justice.gov/usao/nm>

Irwin Joe Yellowtail and Fred Blueeyes Jr., IV, Charged with Robbery (U.S. Attorney for the District of New Mexico)

Irwin Joe Yellowtail, 25, and Fred Blueeyes Jr., IV, 18, both enrolled members of the Navajo Indian Tribe, have been charged with robbery and aiding and abetting. The offense allegedly occurred on or about Dec. 27, 2009, in Shiprock, N.M. Irwin Joe Yellowtail was arraigned on Feb. 4, 2010, and pleaded not guilty to the charge. Fred Blueeyes Jr., IV, was arraigned on Feb. 2, 2010, and pleaded not guilty to the charge.

<http://www.justice.gov/usao/nm>

Vinson Six, Jr., and Nelvin Ray Willie Charged with Assaults (U.S. Attorney for the District of New Mexico)

Vinson Six, Jr., 31, and Nelvin Ray Willie, 24, both enrolled members of the Navajo Indian Tribe, have been charged with assault with a dangerous weapon and assault resulting in serious bodily injury. The defendants were arraigned on Feb. 4, 2010, and pleaded not guilty to the charges.

<http://www.justice.gov/usao/nm>

Red Lake Man Charged with Murder (U.S. Attorney for the District of Minnesota)

A 19-year-old Red Lake man was federally charged on Feb. 4, 2010, in connection with the recent murder of another resident of the Red Lake Indian Reservation. In a criminal complaint filed with the U.S. District Court, Ryan Roy Cloud was charged with one count of murder in the second degree. The complaint alleges that with malice, Cloud killed a 27-year-old Red Lake man on Feb. 1, 2010. If convicted, Cloud faces a potential maximum penalty of life in prison.

<http://www.justice.gov/usao/mn/major/major0495.pdf>

Hinton Woman Pleads Guilty to Filing False Tax Return (U.S. Attorney for the Western District of Oklahoma)

Sanford C. Coats, United States Attorney for the Western District of Oklahoma, announced on Feb. 4, 2010, that Robin Dawn Ramming, of Hinton, Okla., has pleaded guilty to filing a false tax return. As part of her plea agreement, she has also agreed to pay restitution to the Hinton Economic Development Authority, one of two former employers from which she embezzled. Until 2006, Ms. Ramming was employed at the Hinton Economic Development Authority in Caddo County. On Jan. 22, 2010, she pleaded guilty in Caddo County District Court to embezzling from that employer. During 2007, Ms. Ramming worked at Wheeler Chevrolet as an accountant.

<http://www.justice.gov/usao/okw/>

Two Former Elected Cheyenne-Arapaho Tribal Officials Convicted of Conspiracy and Embezzlement From the Tribe (U.S. Attorney for the Western District of Oklahoma)

On Feb. 4, 2010, a federal jury found William F. Blind, Jr., aka Bill Blind, 68, and his wife, Vinita H. Sankey, 60, both of Canton, Okla., guilty of conspiracy and embezzlement of more than \$150,000 of funds belonging to the Cheyenne and Arapaho Tribes of Oklahoma, including net gaming revenues derived from the Lucky Star Casinos, announced Sanford C. Coats, U.S. Attorney for the Western District of Oklahoma.

<http://www.justice.gov/usao/okw/>

Northern Arizona Man Charged With Three Counts of Assault With a Dangerous Weapon (U.S. Attorney for the District of Arizona)

A federal grand jury in Phoenix returned a three-count indictment on Feb. 4, 2010, against Larry Shonnie Ben, 31, of Kayenta Ariz., for assault with a dangerous weapon. A conviction carries a maximum penalty of ten years in federal prison, a \$250,000 fine or both.

[http://www.justice.gov/usao/az/press_releases/2010/2010-018\(Ben\).pdf](http://www.justice.gov/usao/az/press_releases/2010/2010-018(Ben).pdf)

Ponca City Man Charged With Burglary in Indian Country (U.S. Attorney for the Western District of Oklahoma)

Sanford C. Coats, U.S. Attorney for the Western District of Oklahoma, announced on Feb. 3, 2010, that Collins R. Roubideaux, Jr., 30, of Ponca City, Okla., has been charged by a federal grand jury with second degree burglary. According to the indictment, on Aug. 29, 2009, Roubideaux broke into a dwelling of another person with the intent to steal property inside. If convicted, Roubideaux faces no less than two years and up to seven years in federal prison, a fine up to \$250,000 and mandatory restitution.

<http://www.justice.gov/usao/okw/>

Dunseith Man Convicted of Sexual Assault (U.S. Attorney for the District of North Dakota)

Acting U.S. Attorney Lynn Jordheim announced that on Feb. 3, 2010, Primus J. Demery, 44, of Dunseith, N.D., was found guilty by a federal jury on charges of abusive sexual contact, sexual abuse and assault resulting in serious bodily injury. The charge of abusive sexual contact carries a statutory maximum penalty of three years in federal prison and a \$250,000 fine. The charge of sexual abuse carries a statutory maximum penalty of life imprisonment and a \$250,000 fine. The charge of assault resulting in

serious bodily injury carries a statutory maximum penalty of 10 years in federal prison and a \$250,000 fine.

<http://www.justice.gov/usao/nd/pressreleases/press2010.html>

Eric Travis Turnsplenty Pleads Guilty in U.S. Federal Court (U.S. Attorney for the District of Montana)

The U.S. Attorney's office for the District of Montana announced that during a federal court session in Billings, Mont., on Feb. 3, 2010, before Chief U.S. District Judge Richard F. Cebull, Eric Travis Turnsplenty, a 33-year-old resident of Pryor, Mont., pleaded guilty to threatening a federal officer. On July 7, 2009, Turnsplenty barricaded himself in his parent's house in Pryor. During the standoff that lasted about 5 hours, Turnsplenty repeatedly threatened to kill both officers.

<http://www.justice.gov/usao/mt/pressreleases/20100204162852.html>

Anadarko Woman Sentenced for Embezzlement From Apache Tribe (U.S. Attorney for the Western District of Oklahoma)

On Feb. 3, 2010, Carolyn Jane Chalepah, 59, of Anadarko, Okla., was sentenced to five months probation for embezzlement from the Apache Tribe, announced Sanford C. Coats, U.S. Attorney for the Western District of Oklahoma. In addition, Chalepah was ordered to pay \$14,021.80 in restitution to the Tribe and perform 104 hours of community service.

<http://www.justice.gov/usao/okw/>

Man Sentenced to 168 Months Imprisonment for Sexual Abuse of Minor (U.S. Attorney for the Eastern District of Washington)

On Feb. 3, 2010, James A. McDevitt, U.S. Attorney for the Eastern District of Washington, announced that Alden W. Starr, age 25, of the Yakama Nation Indian Reservation, was sentenced for sexually abusing a minor. Starr was sentenced to a term of 168 months imprisonment, followed by 15 years of court supervision after he is released from prison. Starr sexually abused a 14-year old girl in May 2008.

http://www.justice.gov/usao/wae/press_releases/2010/Docs/020310_Starr_Sentence.pdf

Collins Ray Russell Pleads Guilty in U.S. Federal Court (U.S. Attorney for the District of Montana)

The U.S. Attorney's office for the District of Montana announced that during a federal court session in Billings on Feb. 3, 2010, before Chief U.S. District Judge Richard F. Cebull, Collins Ray Russell, a 22-year-old resident of Billings, pleaded guilty to possession with the intent to distribute marijuana and possession of a firearm during a drug trafficking crime.

<http://www.justice.gov/usao/mt/pressreleases/20100203153042.html>

Nathaniel Jansen Pleads Guilty in U.S. Federal Court (U.S. Attorney for the District of Montana)

The U.S. Attorney's office announced that during a federal court session in Billings on Feb. 3, 2010, before Senior U.S. District Judge Jack D. Shanstrom, Nathaniel Jansen, a resident of Billings, pleaded guilty to distribution of methamphetamine. Sentencing is set for May 5, 2010.

<http://www.justice.gov/usao/mt/pressreleases/20100203152534.html>

Teddy Lopez, Jr., Sentenced for Use of a Firearm During and in Relation to a Crime of Violence (U.S. Attorney for the District of New Mexico)

On Feb. 2, 2010, U.S. District Judge Judith C. Herrera sentenced Teddy Lopez, Jr., 33, an enrolled member of the Navajo Indian Tribe, to 120 months in prison, five years of supervised release, a \$100 special penalty assessment, and restitution in the amount of \$18,990.80, for the crime of use of a firearm during and in relation to a crime of violence. The offense occurred on or about April 17, 2009, within the boundaries of the Navajo Nation.

<http://www.justice.gov/usao/nm>

Man Sentenced for Conspiracy to Distribute Cocaine and Marijuana (U.S. Attorney for the District of South Dakota)

U.S. Attorney Brendan V. Johnson announced that a man charged with conspiracy to distribute cocaine and marijuana was sentenced on Feb. 1, 2010, by Chief U.S. District Judge Karen E. Schreier. Albert Broken Rope, age 28, of Allen, S.D., was sentenced to 60 months in prison, five years supervised release, and ordered to pay \$100 to the Victim Assistance Fund.

http://www.justice.gov/usao/sd/media_news/RC-02-05-10-Rope.html

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