

## **TRIBAL JUSTICE NEWS**

**WEEK OF APRIL 28, 2010**

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### **Dustin Mark Flying Pleads Guilty in U.S. Federal Court (U.S. Attorney for the District of Montana)**

The U.S. Attorney for the District of Montana announced that during a federal court session in Great Falls, Mont., on April 27, 2010, before U.S. District Judge Sam E. Haddon, Dustin Mark Flying, a 24-year-old resident of Fort Belknap, Mont., pleaded guilty to being a habitual domestic offender. Sentencing has been set for Aug. 2, 2010. From Nov. 8, 2010, through Nov. 15, 2009, Flying continually assaulted his wife at her sister's residence in Lodge Pole, Mont., on the Fort Belknap Indian Reservation.

<http://www.justice.gov/usao/mt/pressreleases/20100427163736.html>

### **Laval John Big Leggins Pleads Guilty in U.S. Federal Court (U.S. Attorney for the District of Montana)**

The U.S. Attorney for the District of Montana announced that during a federal court session in Great Falls, Mont., on April 27, 2010, before U.S. District Judge Sam E. Haddon, Laval John Big Leggins, a 24-year-old resident of Poplar, Mont., pleaded guilty to assault resulting in serious bodily injury and obstruction of justice/witness tampering.

<http://www.justice.gov/usao/mt/pressreleases/20100427162739.html>

### **Dale Vernal Campbell Pleads Guilty in U.S. Federal Court (U.S. Attorney for the District of Montana)**

The U.S. Attorney for the District of Montana announced that during a federal court session in Billings, Mont., on April 27, 2010, before Chief U.S. District Judge Richard F. Cebull, Dale Vernal Campbell, of Lame Deer, Mont., pleaded guilty to failure to register as a sexual offender. In 2001, Campbell was convicted of felony sexual abuse of a minor. Based on his conviction, Campbell was required to register as a sexual offender and was informed of that requirement on several occasions. He last registered a Billings address in January 2009. In June 2009, authorities attempted to verify Campbell's address in Billings, but found that the apartment was vacant. He was finally located and arrested on the Northern Cheyenne Indian Reservation.

<http://www.justice.gov/usao/mt/pressreleases/20100427160639.html>

### **Sherman J. Lavallie, Sr. Sentenced in U.S. District Court (U.S. Attorney for the District of Montana)**

The U.S. Attorney for the District of Montana announced that during a federal court session in Great Falls, Mont., on April 27, 2010, before U.S. Magistrate Judge Keith Strong, Sherman J. Lavallie Sr., a 51-year-old resident of Harlem, Mont., was sentenced to two years of probation. Lavallie was sentenced in connection with his guilty plea to theft of federal monies by fraud.

<http://www.justice.gov/usao/mt/pressreleases/20100427160442.html>

**Red Lake Man Pleads Guilty to Assault (U.S. Attorney for the District of Minnesota)**

A 31-year-old Red Lake, Minn., man pleaded guilty on April 27, 2010, in federal court to assaulting a woman on the Red Lake Indian Reservation. Appearing before U.S. District Court Judge Donovan W. Frank in St. Paul, Minn., Christopher Michael Strong pleaded guilty to assault resulting in serious bodily injury. In his plea agreement, Strong admitted that on Nov. 11, 2009, he beat and bit the victim, causing injuries to her head, neck, thorax, legs, shoulders and arms.

<http://www.justice.gov/usao/mn/major/major0552.pdf>

**Defendants Appear in District Court (U.S. Attorney for the District of Montana)**

The U.S. Attorney for the District of Montana announced that during a federal court session in Billings, on April 27, 2010, before U.S. Magistrate Judge Carolyn S. Ostby, George Victor Morris, a 59-year-old resident of Billings, Mont., appeared on charges of conspiracy to distribute methamphetamine and possession with the intent to distribute methamphetamine on the Crow and Northern Cheyenne Indian Reservations. Additionally, Jinny Faith Yellowmule, age 25, and Otto Raymond White, age 21, residents of Crow Agency, Mont., appeared on charges of burglary and aiding and abetting. The defendants pleaded not guilty to the charges.

<http://www.justice.gov/usao/mt/pressreleases/20100427133059.html>

**Justice Department Announces Agreement Protecting the Rights of Lakota-Speaking Voters in Shannon County, S.D. (Civil Rights Division)**

The Justice Department announced on April 26, 2010, an agreement with Shannon County, S.D., to ensure compliance with provisions of the Voting Rights Act that require the county to provide election materials and information in Lakota to Lakota-speaking American Indian voters, and to ensure compliance with certain provisions of the Help America Vote Act. The agreement with Shannon County provides for a comprehensive Lakota language assistance program for American Indian voters, including trained bilingual election officials to be available at all polling places in the county.

<http://www.justice.gov/opa/pr/2010/April/10-crt-481.html>

**Parshall Man Pleads Guilty to Assault (U.S. Attorney for the District of North Dakota)**

Acting U.S. Attorney for the District of North Dakota Lynn Jordheim announced that on April 26, 2010, Ricardo Grado Jr., 33 of Parshall, N.D., pleaded guilty before U.S. District Court Judge Daniel L. Hovland on a charge of assault resulting in serious bodily injury. In November 2009, Grado and the victim were at a bar together and got into an argument. The victim left the bar and went to a residence in Parshall. When Grado arrived at the residence, he broke a window to enter the residence, and then began to physically assault the victim.

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

**Man Pleads Guilty to Assault with a Dangerous Weapon (U.S. Attorney for the District of South Dakota)**

U.S. Attorney for the District of South Dakota Brendan V. Johnson announced that Richard Matthew Provancial, age 47, of White River, S.D., appeared before U.S. District Judge Roberto A. Lange on April 26, 2010, and pleaded guilty to assault with a dangerous weapon. The maximum penalty upon conviction is 10 years in prison, a \$250,000 fine, or both; three years of supervised release; and a \$100 special assessment. The charge relates to Provancial assaulting another person on Jan. 25, 2010.

[http://www.justice.gov/usao/sd/media\\_news/Pierre-04-26-10-Provancial.html](http://www.justice.gov/usao/sd/media_news/Pierre-04-26-10-Provancial.html)

**Chebon Wilson Charged With Aggravated Sexual Abuse of a Child (U.S. Attorney for the District of New Mexico)**

Chebon Wilson, 26, an enrolled member of the Navajo Nation, appeared in federal court on April 25, 2010, and pleaded not guilty to an indictment charging him with aggravated sexual abuse of a child. The charges relate to incidents that occurred in Shiprock, N.M., within the boundaries of the Navajo Nation Indian Reservation.

<http://www.justice.gov/usao/nm/pr/index.html>

**Man Sentenced for Assaulting a Federal Officer (U.S. Attorney for the District of South Dakota)**

U.S. Attorney for the District of South Dakota Brendan V. Johnson announced that a man charged with assault upon a federal officer was sentenced on April 23, 2010, by U.S. District Judge Jeffrey L. Viken. Jesse Miller, age 22, of Porcupine, S.D., was sentenced to 60 months in prison, three years of supervised release and ordered to pay \$100 to the Victim Assistance Fund. Miller was charged in connection with his firing a rifle round into the home of an Oglala Sioux tribal police officer as retaliation for actions the officer had taken in his official duties.

[http://www.justice.gov/usao/sd/media\\_news/RC-04-27-10-Miller.html](http://www.justice.gov/usao/sd/media_news/RC-04-27-10-Miller.html)

**South Dakota Man Pleads Guilty to Involuntary Manslaughter (U.S. Attorney for the District of South Dakota)**

U.S. Attorney for the District of South Dakota Brendan V. Johnson announced that Joe Marshall, aka Joe Marshall-Burritt, age 54, of Rapid City, S.D., appeared before U.S. District Judge Jeffrey L. Viken on April 23, 2010, and pleaded guilty to involuntary manslaughter. The maximum penalty upon conviction is eight years in prison, a \$250,000 fine, or both. On the date in question, Marshall was driving an automobile under the influence of alcohol. Marshall's intoxication (as well as excessive speed) caused him to ultimately drive off the roadway, ejecting and killing a passenger.

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

**Man Pleads Guilty to Failure to Register/Update as a Sex Offender (U.S. Attorney for the District of South Dakota)**

U.S. Attorney for the District of South Dakota Brendan V. Johnson announced that Tatanka Rowland, age 25, of Sioux Falls, S.D., appeared before U.S. District Judge Jeffrey L. Viken on April 23, 2010, and pleaded guilty to failure to register or update as a sex offender. The maximum penalty upon conviction is 10 years in prison, a \$250,000 fine, or both. Rowland was convicted of sexual abuse of a minor on Jan. 3, 2007, and was sentenced to 18 months in prison. On Feb. 24, 2010, he absconded from the supervision of the U.S. Probation Office and thereafter failed to update his sex-offender registration requirements.

[http://www.justice.gov/usao/sd/media\\_news/RC-04-26-10-Rowland.html](http://www.justice.gov/usao/sd/media_news/RC-04-26-10-Rowland.html)

**Mississippi Woman Pleads Guilty to Embezzlement from a Tribal Organization (U.S. Attorney for the Southern District of Mississippi)**

Wendy Ben, age 27, pleaded guilty before U.S. District Judge Tom S. Lee to embezzlement from a tribal organization, U.S. Attorney for the Southern District of Mississippi Donald R. Burkhalter announced on April 22, 2010. Ben embezzled in excess of \$10,000 from the Mississippi Band of Choctaw Indians while employed as a court clerk for the Choctaw Tribal Court system from 2007-2008. She faces a maximum penalty of five years in prison and a \$250,000 fine.

<http://www.justice.gov/usao/mss/press/APRIL%202010/Ben%20guilty%20plea.pdf>

**Sixteen Arrested in Federal-Tribal Probe of Navajo Nation Methamphetamine Supply (U.S. Attorney for the District of Arizona)**

U.S. Attorney for the District of Arizona Dennis K. Burke joined tribal, federal and local law enforcement officials on April 22, 2010, to announce the arrest on federal charges of 16 people accused of dealing meth on the Navajo Nation, the outcome of a long-term investigation into what officials described as the largest meth distribution network operating on the Nation. The arrests followed a year-long intensive undercover operation led by the Navajo Nation Drug and Gang Unit with federal and local agency support.

[http://www.justice.gov/usao/az/press\\_releases/2010/2010-071\(Navajo\\_Meth%20Initiative\).pdf](http://www.justice.gov/usao/az/press_releases/2010/2010-071(Navajo_Meth%20Initiative).pdf)

**Gerald Begay and Virgil Martin Charged With Assaults (U.S. Attorney for the District of New Mexico)**

Gerald Begay, 33, and Virgil Martin, 35, both enrolled members of the Navajo Nation, appeared in federal court on April 22, 2010, and pleaded not guilty to an indictment charging them with assault with a dangerous weapon and assault resulting in serious bodily injury. The charges relate to an incident that occurred near Ojo Encino, N.M., within the boundaries of the Navajo Nation Indian Reservation.

<http://www.justice.gov/usao/nm/pr/index.html>

**Dilbert Eddie Pleads Guilty to Involuntary Manslaughter (U.S. Attorney for the District of New Mexico)**

On April 22, 2010, Dilbert Eddie, 32, an enrolled member of the Navajo Nation, pleaded guilty before Chief U.S. Magistrate Judge Richard L. Puglisi to the charge of involuntary manslaughter. The offense occurred within the boundaries of the Navajo Nation Indian Reservation.

<http://www.justice.gov/usao/nm/pr/index.html>

**Alfonso Ramirez Pleads Guilty to Assault With a Dangerous Weapon (U.S. Attorney for the District of New Mexico)**

On April 22, 2010, Alfonso Ramirez, 30, an enrolled member of the Zuni Tribe, pleaded guilty before Chief U.S. Magistrate Judge Richard L. Puglisi to the charge of assault with a dangerous weapon. The offense occurred at Zuni, N.M., within the boundaries of the Zuni Pueblo Reservation.

<http://www.justice.gov/usao/nm/pr/index.html>

**Kale Yazzie Sentenced to Eight Years for Involuntary Manslaughter (U.S. Attorney for the District of New Mexico)**

On April 22, 2010, Kale Yazzie, 22, an enrolled member of the Navajo Nation, was sentenced by U.S. District Judge James O. Browning to eight years in federal prison, to be followed by three years of supervised release. Yazzie pleaded guilty to involuntary manslaughter. The offense occurred near Mariano Lake, N.M., within the boundaries of the Navajo Nation Indian Reservation.

<http://www.justice.gov/usao/nm/pr/index.html>

**Woman Sentenced for Embezzlement and 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 April 21, 2010, that Tammy Kay Marshall, age 48, of Welling, Okla., was sentenced to two years of probation for embezzlement and theft from an Indian tribal organization. Marshall was also ordered to pay \$3,000 in restitution. From May 4, 2007, until July 31, 2007, while an employee of the Cherokee Nation, Marshall embezzled over \$1,000.

<http://www.justice.gov/usao/oke/press0410.html#marshall>

**Man Sentenced for Embezzlement and 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 April 21, 2010, that Keith Wayne Billie, age 40, of Konawa, Okla., was sentenced to three years of probation for embezzlement and theft from an Indian tribal organization. Billie was also ordered

to pay \$10,000 in restitution. The indictment alleged that on Feb. 19, 2007, Billie, a security guard for the Chickasaw Enterprises Armored Car Division, stole approximately \$10,000 in cash.

<http://www.justice.gov/usao/oke/press0410.html#billie>

**Eric Multine Pleads Guilty to Possession of a Firearm During and in Relation to a Crime of Violence (U.S. Attorney for the District of New Mexico)**

On April 21, 2010, Eric Multine, 25, an enrolled member of the Navajo Nation, pleaded guilty before Chief U.S. Magistrate Judge Richard L. Puglisi to the charge of possession of a firearm during and in relation to a crime of violence. The offense occurred in Shiprock, N.M., within the boundaries of the Navajo Nation Indian Reservation.

<http://www.justice.gov/usao/nm/pr/index.html>

**Frank Peterson Pleads Guilty to Assault Resulting in Serious Bodily Injury (U.S. Attorney for the District of New Mexico)**

On April 21, 2010, Frank Peterson, 55, an enrolled member of the Navajo Nation, pleaded guilty before Chief U.S. Magistrate Judge Richard L. Puglisi to the charge of assault resulting in serious bodily injury. The offense occurred at Pinedale, N.M., within the boundaries of the Jicarilla Apache Indian Reservation.

<http://www.justice.gov/usao/nm/pr/index.html>

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