

## TRIBAL JUSTICE NEWS

WEEK OF JUNE 22, 2010

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### **Oklahoma Man Sentenced for Firearms Charges (U.S. Attorney for the Eastern District of Oklahoma)**

U.S. Attorney Sheldon J. Sperling announced on June 21, 2010, that Jack James, age 48, of Tahlequah, Okla., was sentenced on June 15, 2010, to 165 months in prison, followed by 60 months of supervised release for being a felon in possession of a firearm. James was found guilty after a two day jury trial that began on Aug. 31, 2009. On Nov. 13, 2009, a federal search warrant was executed at James' residence in rural Cherokee County. James, a convicted felon, was found in possession of a .22 caliber rifle and a .22 caliber pistol, during the search.

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

### **South Dakota Man Sentenced for Drug Charges (U.S. Attorney for the District of South Dakota)**

U.S. Attorney Brendan V. Johnson announced that Jacob Clark, a South Dakota man charged with distribution of a controlled substance, was sentenced on June 18, 2010, by U.S. District Court Judge Karen E. Schreier to 37 months in prison, three years supervised release and a \$100 victims assessment. In June, 2009, at Hot Springs, S.D., Clark sold another person cocaine base. He pled guilty to the offense on Feb. 2, 2010.

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

### **South Dakota Man Sentenced for Drug Charges (U.S. Attorney for the District of South Dakota)**

U.S. Attorney Brendan V. Johnson announced that Kent Hazelrigg, a South Dakota man convicted of conspiracy to distribute a controlled substance and possession with intent to distribute a controlled substance, was sentenced on June 18, 2010, by U.S. District Court Judge Karen E. Schreier to 100 months in prison, five years supervised release and a \$100 victims assessment. Between August 2007, and April 2008, Hazelrigg conspired with others to distribute methamphetamine in South Dakota. In February 2008, Hazelrigg also possessed methamphetamine while intending to distribute it. On Nov. 5, 2009, he was convicted by a jury in federal court of both charges.

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

### **Nebraska Woman Sentenced for Assault (U.S. Attorney for the District of Nebraska)**

U.S. Attorney Deborah Gilg announced on June 17, 2010, that Chief U.S. District Court Judge Joseph F. Bataillon sentenced Tracy Nowland to five years probation for her conviction of assault by striking and beating. Nowland was further ordered to pay restitution to the Indian

Health Services Hospital in the amount of \$550.15. On Aug. 7, 2009, Nowland was watching television with three other persons in a home on the Omaha Indian Reservation when an argument broke out. Nowland claimed one of the other persons had hit her in the face so she went into the kitchen, grabbed a kitchen knife and struck the person in the chest with the knife.

<http://www.justice.gov/usao/ne/press/>

#### **Four South Dakota Men Sentenced for Drug Charges (U.S. Attorney for the District of South Dakota)**

U.S. Attorney Brendan V. Johnson announced that four Pine Ridge, S.D., men charged with conspiracy to distribute a controlled substance were sentenced on June 16, 2010, by US District Court Judge Karen E. Schreier. Guy Yellow Boy was sentenced to 37 months in prison, three years supervised release and a \$100 victims assessment; Bervin Brings Plenty was sentenced to 57 months in prison, three years supervised release and a \$100 victims assessment; Matt Tobacco was sentenced to 41 months in prison, three years supervised release and a \$100 victims assessment; and Merril Catches was sentenced to 60 months in prison, three years supervised release and a \$100 victims assessment. Between 2001 and 2009, at varying times, they all aided in a conspiracy to obtain cocaine in Denver and resell it on the Pine Ridge Indian Reservation.

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

#### **South Dakota Woman Pleads Guilty to Drug Charges (U.S. Attorney for the District of South Dakota)**

U.S. Attorney Brendan V. Johnson announced that Renee Nossan, a South Dakota woman charged with distribution of a controlled substance, pleaded guilty and was sentenced on June 16, 2010, by U.S. District Court Judge Karen E. Schreier to 60 months in prison, three years supervised release and a \$100 victims assessment. Nossan was indicted by a federal grand jury on July 21, 2009. In January 2009, Nossan knowingly distributed heroin near Spearfish.

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

#### **North Dakota Man Found Guilty of Sexual and Physical Abuse (U.S. Attorney for the District of North Dakota)**

Acting U.S. Attorney Lynn Jordheim announced that on June 17, 2010, Monty M. Mariner, 30, of New Town, N.D., was found guilty by a federal jury on charges of sexual abuse, assault resulting in serious bodily injury, and assault with a dangerous weapon. In November 2009 on the Fort Berthold Indian Reservation, Mariner physically

and sexually assaulted a woman inside a motor vehicle after leaving a house party.

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

#### **South Dakota Man Sentenced for Assault (U.S. Attorney for the District of South Dakota)**

U.S. Attorney Brendan V. Johnson announced that Leroy Elmer Ghost, who was charged with assault with a dangerous weapon, was sentenced on June 18, 2010, by U.S. District Court Judge Jeffrey L. Viken to 41 months in prison, three years supervised release and ordered to pay \$100

to the Victims' Assistance Fund. On June 23, 2009, Ghost stabbed another person in the abdomen with a folding knife. The victim sustained severe injuries and was taken to the hospital. Ghost pled guilty to the charge on March 25, 2010.

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

**Swinomish Tribal Members Sentenced for Contraband Cigarette Scheme (U.S. Attorney for the Western District of Washington)**

U.S. Attorney Jenny A. Durkan announced on June 16, 2010, that two members of the Swinomish Indian Tribal Community, C. Marvin Wilbur, 72, his wife, Joan C. Wilbur, 73, and their daughters-in-law, April M. Wilbur, 45, and Brenda R. Wilbur, 50, were sentenced 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. C. Marvin Wilbur was sentenced to a year and a day in prison and three years of supervised release and Joan Wilbur was sentenced to five months in prison and five months of home confinement, and three years of supervised release. Each daughter-in-law was sentenced to 90 days of home confinement and three years of supervised release. All four defendants are jointly responsible for \$10.9 million in restitution. According to the plea agreements, between July 1999 and May 2007, the Trading Post purchased nearly 800,000 cartons of contraband cigarettes. These cigarettes did not have the requisite stamps indicating the taxes to Washington State or the Swinomish Tribe had been paid.

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

**North Carolina Man Sentenced for Violation of the Violence Against Women Act (U.S. Attorney for the Western District of North Carolina)**

U.S. Attorney Anne M. Tompkins announced that Oliver Otter, indicted the Violence Against Women Act, previously entered a guilty plea as charged, and on June 16, 2010, received 64 months in prison. Otter is 40 years of age, and is an enrolled member of the Eastern Band of Cherokee Indians from Whittier, N.C.

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

**North Carolina Man Sentenced for Being a Felon in Possession of a Firearm (U.S. Attorney for the Western District of North Carolina)**

U.S. Attorney Anne M. Tompkins announced that Eugene Keith Harlan, 56, of Marble, N.C., was sentenced on June 16, 2010 in U.S. District Court following his earlier guilty plea to one count of being a felon in possession of a firearm. Harlan, an enrolled member of the Eastern Band of Cherokee Indians, received 30 months in prison.

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

**North Carolina Man Sentenced for Failing to Register as a Sex Offender (U.S. Attorney for the Western District of North Carolina)**

U.S. Attorney Anne M. Tompkins announced that David Jeffrey Blackfox, 40, of Cherokee, N.C., was sentenced in U.S. District Court on June 16, 2010 to 60 months in prison to be followed by a life term of supervised release after having earlier pleaded guilty to a charge of failing to register as a sex offender. Blackfox is an enrolled member of the Eastern Band of Cherokee Indians.

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

**South Dakota Man Pleads Not Guilty to Arson (U.S. Attorney for the District of South Dakota)**

U.S. Attorney Brendan V. Johnson announced that Frank Frazier, a Belvidere, S.D., man pleaded not guilty to arson on June 15, 2010 before U.S. Magistrate Judge Mark A. Moreno on June 15, 2010.

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

**South Dakota Woman Sentenced for Concealing a Person from Arrest (U.S. Attorney for the District of South Dakota)**

U.S. Attorney Brendan V. Johnson announced that Mary Lambert, a Rosebud, S.D., woman charged with concealing a person from arrest, was sentenced on June 15, 2010, by U.S. Magistrate Judge Mark A. Moreno to two years of probation, including six months of home confinement to commence immediately, a \$500 fine and a \$25 special assessment to the Victim's Assistance Fund. The charge stems from an incident in August 2009 when Lambert allowed a juvenile fugitive to stay at her home and drive her vehicle, which was used in a high-speed chase with law enforcement officers. She was convicted of the charge on April 9, 2010, as the result of a federal jury trial in Pierre.

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

**Colorado Man Sentenced for Mailing Threatening Communications (U.S. Attorney for the District of South Dakota)**

U.S. Attorney Brendan V. Johnson announced that Thomas Jensen, a Colorado man charged with mailing threatening communications, was sentenced on June 15, 2010, by U.S. District Court Judge Richard H. Battey to 96 months in prison, three years supervised release and a \$100 victims assessment. Jensen was indicted by a federal grand jury on April 11, 2008. In August, 2007, Jensen mailed a threatening letter to a federal official. He pled guilty to the offense on March 9, 2010.

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