

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.	)	No. 4:11 CR 246 CDP FRB
)	
JAMES C. SMITH, a/k/a "Animal,"	)	Count I
ALLAN HUNTER, a/k/a "Dog,"	)	Counts I, IX, XIV, XV, XVII
FREDERICK MORGAN, a/k/a "Low Rider,"	)	Counts I, VIII
DOMINIC HENLEY, a/k/a "Bishop,"	)	Counts I, II, III, XIV
TIMOTHY BALLE, a/k/a "T,"	)	Counts I, II, III, VII
LAWRENCE PINKSTON, a/k/a "Pac,"	)	Counts I, IV
MAURICE THOMAS,	)	Counts I, IX
BRYANT PALMER, a/k/a "Dot,"	)	Counts I, IX, X
TONY SIMS, a/k/a "Big T," "Tone,"	)	Counts I, X
THOMAS BAILEY, a/k/a "Que," "Q-Ball,"	)	Counts I, IX
ANTHONY ROBINSON, a/k/a "Blade,"	)	Counts I, XII, XIII, XVI, XVII
JERRY ELKINS, a/k/a "Shakka," "Shaca,"	)	Counts I, XIV
MARSHALL FRY, a/k/a "Bo," "Big Bo,"	)	Counts I, XI, XIV
RASHEED JAMAL BRANDON,	)	Counts I, XIV
a/k/a "Diamond,")	
WALTER LEE, a/k/a "Lil Dude,"	)	Counts I, XIV
CARLYLE FLEMING,	)	Counts I, V
a/k/a "Thundercat," "Jermaine Fleming,")	
CARLOS WESLEY ROSE, SR.,	)	Counts I, XV
a/k/a "Pit Bull,")	
and)	
NORMAN VICK, a/k/a "Justice,"	)	Counts I, VI
)	
Defendants.)	

INDICTMENT

The Grand Jury charges:

INTRODUCTION

The Racketeering Enterprise

1. At all times relevant to the Indictment, in the Eastern District of Missouri and elsewhere, the Defendants,

**JAMES C. SMITH, a/k/a "Animal,"
ALLAN HUNTER, a/k/a "Dog,"
FREDERICK MORGAN, a/k/a "Low Rider,"
DOMINIC HENLEY, a/k/a "Bishop,"
TIMOTHY BALLE, a/k/a "T,"
LAWRENCE PINKSTON, a/k/a "Pac,"
MAURICE THOMAS,
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TONEY SIMS, a/k/a "Big T," "Tone,"
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ANTHONY ROBINSON, a/k/a "Blade,"
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MARSHALL FRY, a/k/a "Bo," "Big Bo,"
RASHEED JAMAL BRANDON, a/k/a "Diamond,"
WALTER LEE, a/k/a "Lil Dude,"
CARLYLE FLEMING, a/k/a "Thundercat," "Jermaine Fleming,"
CARLOS WESLEY ROSE, SR., a/k/a "Pit Bull," and
NORMAN VICK, a/k/a "Justice,"**

and others, were members and associates of the Wheels of Soul, also known as "WOS," a criminal organization that was engaged in and has engaged in acts of violence, including murder, attempted murder, robbery, and assault with a deadly weapon, and also engaged in the distribution of controlled substances, specifically cocaine base ("crack"), and extortion. The Wheels of Soul, including its leadership, members, and associates, constitutes an "enterprise" as defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated-in-fact. The Wheels of Soul enterprise constitutes an ongoing organization whose members function as a continuing unit for a common purpose of achieving the objectives of the enterprise, which was engaged in, and the activities of which affected, interstate commerce.

Purposes of the Enterprise

2. The purposes of the enterprise include the following:
 - a. Promoting and enhancing the prestige, reputation and position of the enterprise with respect to rival criminal organizations;

- b. Preserving and protecting the power and territory of the enterprise through the use of intimidation, threats, and acts of violence, including assaults and murder;
- c. Keeping victims and rivals in fear of the enterprise's members and associates; and
- d. Enriching the members and associates of the enterprise through criminal activity, including, among other things, murder and attempted murder, robbery, distribution of controlled substances, and assault.

Means and Methods of the Enterprise

- 3. Among the means and methods by which the defendants and their associates conduct and participate in the conduct of the affairs of the enterprise are and were the following:
 - a. Members and associates of the enterprise committed, attempted to commit and threatened to commit acts of violence, including murder, attempted murder, robbery and assault, to enhance the enterprise's prestige and to protect and expand the enterprise's criminal operations;
 - b. Members and associates of the enterprise used and threatened to use physical violence against various individuals, including members of rival criminal organizations;
 - c. Members and associates of the enterprise used, attempted to use, and conspired to use robbery as a means of intimidating members of rival criminal enterprises and legitimate motorcycle clubs;
 - d. Members and associates of the enterprise distributed controlled substances as a means of obtaining money to further the interests of the enterprise.
- 4. WOS members and associates are part of a larger group of motorcycle enthusiasts collectively known as "Outlaw Motorcycle Gangs," hereinafter, "OMG." Although these many

groups share this collective designation, they are not typically aligned with each other. Rather, the various Outlaw Motorcycle Gangs maintain rivalries amongst each other, competing for prestige, territory, and national recognition. These rivalries are often fierce and commonly erupt in violence. WOS has variously feuded with other motorcycle clubs such as the Street Soldiers, Hells Lovers, and Outkast. The feud with Outkast has reached nationwide proportions and remains ongoing.

5. Membership in the WOS is formal and organized. Membership is denoted by the wearing of a Wheels of Soul "patch," or "colors." The "colors" consist of a black vest adorned with several patches worn on the back. The patches consist of the name "Wheels of Soul" displayed on the top and bottom of the "wing and wheel" center patch. A patch displaying the name of the State where the member's chapter is located is displayed on the bottom of the vest. The front of the vest is used to designate the member's rank and/or status. Members commonly refer to the WOS collectively as "the Nation."

6. A small percentage of WOS members have achieved "1%er" or "diamond" status. Members must earn the 1%'er diamond and/or have another diamond member vouch that they deserve a 1%'er diamond. Members who have a 1%'er diamond patch are considered particularly criminal and violent. The term "one percenter," or "1%er" is a commonly utilized term within the motorcycle club culture, meant to describe the one percent of motorcycle enthusiasts who routinely engage in significant criminal activity. The manner in which the diamond patch is earned is prohibited as a topic of discussion among non-diamond members. Frequently, at regional and national gatherings, meetings are held for diamond members only. At these meetings, club business pertaining to diamond members is discussed.

7. In order to obtain membership, an individual must first be accepted as a "Prospect." As a "Prospect," the applicant is not permitted to wear the "colors" of WOS until he is accepted as a full member, also known as a "fully-patched member." Rather, he wears a different patch denoting his status as a "Prospect." As a "Prospect," an applicant is subordinate to every fully-patched member of WOS. If given an order by a fully-patched member, a "Prospect" must complete the assigned task without hesitation or question. Should a "Prospect" fail to obey a direct order from a fully-patched member, penalties range from violent assault to expulsion from the club.

8. When wearing their "colors," members (and "Prospects," who wear a different patch) are required to be in possession of a "kit." The kit includes, among other things, a weapon of choice (preferably a firearm, although members have also begun carrying hammers and/or knives), pen, paper, needle, thread and flashlight. Failure to carry a "kit" while wearing the WOS "colors" or "Prospect" patch results in punishments ranging from fines to demotion to physical assault.

9. The WOS enterprise is governed by a hierarchical structure. The Mother Chapter and its officers, located in Philadelphia, Pennsylvania, control the entire organization. The entire organization is divided into Regions, each with its own officers. Those Regional officers are subordinate to the Mother Chapter and govern the respective Chapters within their assigned region. Every WOS OMG Chapter, including the Mother Chapter, has ruling Officers. The organizational structure remains consistent through all levels of the WOS OMG nation meaning there are National, Regional, and Local Chapter Presidents, Vice Presidents, Secretaries, Treasurers, Business Managers and Sergeant at Arms.

10. The National President is the head of the entire organization. The Regional Presidents are responsible for the chapters within their region. Regional Presidents are responsible for relaying directives from the Mother Chapter to the Chapter Presidents within their region. This is typically done through mandatory regional meetings or direct communication with local Chapter Presidents. Chapter Presidents are required to preside at all chapter meetings, preserve order and enforce the constitution and by-laws of the club and bring forth the attention of activities about which the club's best interests are in mind. Presidents are also tasked with providing prospective members with their "colors" and various WOS OMG patches. Presidents are also likely to keep club rosters and phone lists of members.

11. At each level of the WOS structure, the Vice President's primary duty is to assist the President in the performance of all his duties and act in the President's absence. Frequently, the Vice-President serves as the liaison between the members and the President and may relay directives – criminal and otherwise – from the Presidents to the members.

12. At each level of the WOS structure, the Secretary keeps all records of the meetings of the club. The Secretary also conducts all correspondence of the club unless otherwise directed. The Secretary may perform other duties with the approval of the membership with the morale and social welfare of the club in mind.

13. At each level of the WOS structure, the Treasurer's duties include receive, receipt, record and account for all money paid to the club. The Treasurer must be ready to furnish money to pay all bills authorized by the club. The Treasurer must furnish a monthly financial report to the club, as directed or requested by the membership. The Treasurer also signs checks, receipts, etc. involving club business, and is solely responsible for the money that belongs to the

club, unless otherwise directed by the membership. The Treasurer may perform other such duties with the approval of the membership for the morale and social welfare of the club.

14. At each level of the WOS structure, the Business Manager's duties include review and approval of any proposed equipment purchases. The Business Manger conducts financial transactions, and is frequently tasked with arranging parties and other social events hosted by the WOS. These events generate income for the chapter.

15. At each level of the WOS structure, the Sergeant at Arms is most often referred to as the "Enforcer." The Enforcer deals with club "business," some of which may be criminal. The Enforcer also frequently calls chapter meetings to order for the President and ensures the meetings are secure by enforcing rules prohibiting the use of cell phones during meetings. Enforcers are expected to protect the Presidents at all times and to assist the Presidents in preserving order. Enforcers inspect members for the presence of their "kits" when wearing colors. Enforcers are responsible for ensuring that members present at meetings are in good standing, and they present any new "Prospects" for approval. If the "Prospect" is not approved, the Enforcer is responsible for escorting him off the premises. The Enforcer is also Road Captain for organized club rides and responsible for bike inspection.

16. Every WOS member is required to swear an oath to the organization.

Specifically, each member must aver:

"I _____, as a representative of this Nation hereby solemnly swear to uphold all rules, regulations, and bylaws of this Nation to obey all orders given by my superiors and give full respect to all members of National staff. Not even under the threat of death will I deny any of my brothers or sisters. I will continue to make myself aware of all intentions of the Wheels of Soul Nation. I take this oath freely and will defend this Nation until my death."

17. The entire WOS organization is subject to the terms of a Constitution and bylaws. This Constitution applies to all members, regardless of rank or status, as well as "Prospects." This Constitution outlines, among other things: the requirement to pay dues to the organization, the procedure for punishing offenses against the WOS Constitution, the establishment of officers, the wearing of patches, members' attendance at WOS functions, the prohibition of discussing WOS business with non-members, the visitation of fellow WOS members who are incarcerated, and other aspects of the WOS culture. WOS members are forbidden to carry a copy of the Constitution on their person, lest a copy fall into the hands of law enforcement. Severe punishments are mandated where a member is discovered to be in possession of a copy of the Constitution.

Roles of the Defendants

JAMES C. SMITH, a/k/a "Animal" – National Vice President (Philadelphia, PA)

ALLAN HUNTER, a/k/a "Dog" – Regional Vice President (Chicago, IL)

FREDERICK MORGAN, a/k/a "Low Rider" – Regional Vice President (Youngstown, OH)

DOMINIC HENLEY, a/k/a "Bishop" – Chapter President (St. Louis, MO)

TIMOTHY BALLE, a/k/a "T" – Former Member (St. Louis, MO)

LAWRENCE PINKSTON, a/k/a "Pac" – Former Vice President (St. Louis, MO)

MAURICE THOMAS – associate; brother to Allan HUNTER

BRYANT PALMER, a/k/a "Dot" – Member (Chicago, IL)

TONEY SIMS, a/k/a "Big T," "Tone" – Member (Chicago, IL)

THOMAS BAILEY, a/k/a "Que," "Q-Ball" – Vice President West Side (Chicago, IL)

ANTHONY ROBINSON, a/k/a "Blade" – Regional Enforcer (Chicago, IL)

JERRY ELKINS, a/k/a "Shakka," "Shaca" – Chapter President (Denver, CO)

MARSHALL FRY, a/k/a "Bo," "Big Bo" – Member (Denver, CO)

RASHEED JAMAL BRANDON, a/k/a "Diamond" – Member (Denver, CO)

WALTER LEE, a/k/a "Lil Dude" – Chapter President (Milwaukee, WI)

CARLYLE FLEMING, a/k/a "Thundercat," "Jermaine Fleming" – Former Regional Enforcer (Chicago, IL)

CARLOS WESLEY ROSE, SR., a/k/a "Pit Bull" – Chapter President (Louisville, KY)

NORMAN VICK, a/k/a "Justice" – Former Secretary (St. Louis, MO)

Count I.

(18 U.S.C. §1962(d) -- Racketeering Conspiracy)

18. The allegations contained in paragraphs 1 through 17 are realleged and incorporated as though fully set forth in this paragraph.

19. Beginning on or about 2008, and continuing thereafter through and including the date of this Indictment, both dates being approximate and inclusive, in the Eastern District of Missouri and elsewhere, the Defendants,

**JAMES C. SMITH, a/k/a "Animal,"
ALLAN HUNTER, a/k/a "Dog,"
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TIMOTHY BALLE, a/k/a "T,"
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WALTER LEE, a/k/a "Lil Dude,"
CARLYLE FLEMING, a/k/a "Thundercat," "Jermaine Fleming,"
CARLOS WESLEY ROSE, SR., a/k/a "Pit Bull," and
NORMAN VICK, a/k/a "Justice,"**

together with others, being members and associates of the WOS enterprise, an enterprise that engaged in activities which affected interstate commerce, knowingly and intentionally conspired to conduct and participate, directly and indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity, as that term is defined by Title 18, United States Code, Section 1961(1) and (5), consisting of multiple acts involving narcotics trafficking, including cocaine and cocaine base ("crack"), in violation of the laws of the United States, namely:

A. 21 U.S.C. §846 and 841(a)(1) (involving narcotics trafficking and conspiracy to commit narcotics trafficking, including cocaine and cocaine base ("crack"));

of multiple acts indictable under the following provisions of federal law:

B. 18 U.S.C. §1512 (tampering with a victim, witness, or informant)

and multiple acts chargeable under the following provisions of state law:

C. Murder in the Second Degree, in violation of Mo. Rev. Stat. 565.021

D. Assault in the First Degree (Attempted Murder), in violation of Mo. Rev. Stat. 565.050

E. Robbery, in violation of Mo. Rev. Stat. 569.020

F. Murder in the Second Degree, 720 ILCS 5/9-2

G. Attempt to commit murder, in violation of 720 ILCS 5/8-4 and 5/9-1

H. Conspiracy to commit murder, in violation of 720 ILCS 5/8-2 and 5/9-1

I. Intimidation, in violation of 720 ILCS 5/12-6

J. Arson, in violation of 720 ILCS 5/20-1

K. Murder, in violation of Ohio R.C. §2903.02

L. Attempt to commit murder, in violation of Ohio R. C. §2923.02 and 2903.02

M. Kidnapping, in violation of Ohio R. C. §2905.01

N. Attempt to commit murder, in violation of Colorado R. S. A. §§18-3-103 and 18-2-102.

It was a part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering in the conduct of the affairs of the enterprise.

In furtherance of the conspiracy and in order to effect the objects thereof, the defendants and their co-conspirators, both known and unknown to the Grand Jury, committed and caused to be committed the following OVERT ACTS, among others, in the Eastern District of Missouri, the Northern District of Illinois, and elsewhere:

19.1 On or about May 16, 2009, **DOMINIC HENLEY** presided over a WOS meeting in St. Louis, Missouri, in which he instructed all WOS members and "Prospects" in attendance that they must be armed. He further explained that a WOS member in Gary, Indiana, had been threatened by a member of a rival OMG and that as a result, WOS members had been instructed to retaliate by robbing their rivals of their "colors," utilizing "any means necessary." **HENLEY** instructed WOS members that "when [they] feel like a mother f***er did [them] wrong," they should retaliate, cautioning that they should not "kick off no shit that you can't finish. You can kick it off, then better finish that mother f***er. 'Cause you already know, we gotta play for keeps."

19.2 On or about May 27, 2009, **DOMINIC HENLEY, TIMOTHY BALLE, LAWRENCE PINKSTON** and other WOS members attended a meeting in St. Louis, Missouri, in which **DOMINIC HENLEY** reminded the group that the WOS is an "outlaw club." He defined "outlaw" as someone who "live[s] beyond the law, you know what I'm sayin'? It ain't necessarily mean that you a killer, but might be a killer next to ya. . . . You might not do drugs, but the motherf***er you out of town with (unintelligible), you know what I'm sayin'?"

Everybody got their own hustle." **DOMINIC HENLEY** further stated that when confronted, fellow members must evaluate whether they should "really eliminate this guy?" **DOMINIC HENLEY** then warned that WOS "play real serious." **DOMINIC HENLEY** described WOS as "not just an outlaw club," but "a one percenter club. We're a one percenter club."

19.3 On or about May 28, 2009, a WOS member shot a rival OMG member in Gary, Indiana.

19.4 On or about July 1, 2009, **DOMINIC HENLEY, TIMOTHY BALLE** and **LAWRENCE PINKSTON** attended a WOS meeting in St. Louis, Missouri, in which members were told that the Mother Chapter had declared "open season" on rival OMGs Sin City Disciples [sic] and Sin City Titans. **DOMINIC HENLEY** then discussed conducting a "hit" on Sin City Disciples [sic] St. Louis Chapter President and Enforcer "Reggie." **DOMINIC HENLEY** then advised a WOS member who had been recently stripped of his "colors" that the WOS member could earn his "colors" back by killing "Reggie." **DOMINIC HENLEY** also discussed extorting smaller motorcycle clubs and forcing them to purchase "support patches" showing their allegiance to WOS.

19.5 On or about August 4, 2009, **DOMINIC HENLEY, TIMOTHY BALLE** and **LAWRENCE PINKSTON** attended a WOS meeting in St. Louis, Missouri, during which **DOMINIC HENLEY** explained that WOS will threaten violence against other motorcycle clubs if they refuse to purchase a "support patch" demonstrating allegiance and subservience to WOS. These smaller clubs will be required to obtain approval from WOS to operate in St. Louis, Missouri. **DOMINIC HENLEY** explained that WOS will control the "bike set" in St. Louis, Missouri, and will determine which clubs will be permitted to form.

19.6 On or about August 10, 2009, **DOMINIC HENLEY** and **TIMOTHY BALLE** committed an armed robbery in St. Louis, Missouri, in which **BALLE** brandished a handgun and ordered two individuals to remove their STL Riders "colors." After the robbery, WOS members fled the scene with the "colors."

19.7 On or about August 15, 2009, **DOMINIC HENLEY**, **TIMOTHY BALLE** and **LAWRENCE PINKSTON** were involved in a shooting incident in St. Louis, Missouri. Sin City Titans member K.B. was killed.

19.8 On or about August 16, 2009, **LAWRENCE PINKSTON** attended a WOS meeting in St. Louis, Missouri. **LAWRENCE PINKSTON** admitted to being present at the August 15, 2009 shooting of K.B. **LAWRENCE PINKSTON** claimed that during the incident, he attempted to shoot at K.B, but his gun jammed. In a later conversation on the same day, **LAWRENCE PINKSTON** claimed that K.B. pulled a gun first, but that K.B. then "laid it on the ground." After that, according to **LAWRENCE PINKSTON**, K.B. walked by **DOMINIC HENLEY**, and "bumped" him, which prompted **DOMINIC HENLEY** to open fire.

19.9 On or about August 17, 2009, in Chicago, Illinois, at approximately 4:55 a.m., **CARLYLE FLEMING** shot victim R.T. in the abdomen at a club called the Howling Moon in the presence of other WOS members.

19.10 On or about August 25, 2009, **LAWRENCE PINKSTON** attended a WOS meeting in St. Louis, Missouri. During the meeting, **LAWRENCE PINKSTON** told fellow members that there was a warrant for his arrest resulting from the August 15, 2009 shooting of K.B. They also discussed **DOMINIC HENLEY** being wanted on robbery charges for having stolen "colors" from "J Money" and his wife, who had called police. They also discussed what might happen to individuals who make robbery allegations to police.

19.11 On or about September 9, 2009, **DOMINIC HENLEY** stated that as a result of the August 15, 2009 shooting of K.B., every time **DOMINIC HENLEY** goes out, **DOMINIC HENLEY** has to be ready for a gunfight. **DOMINIC HENLEY** also explained that on August 15, 2009, a Sin City member named "Dre" had picked up K.B.'s gun and started shooting.

19.12 On or about September 11, 2009, a group of WOS members including **DOMINIC HENLEY** and **TONEY SIMS** met and discussed, among other things, the August 15, 2009 shooting of K.B. in St. Louis, Missouri. One unknown WOS member stated, "f**k with one, f**k with all!" They then discussed various state gun laws, and one unknown WOS member remarked that of all the guns in the room, only one was legally carried.

19.13 On or about September 12, 2009, a number of WOS members, including the late Regional President Myron Farris, **DOMINIC HENLEY**, **CARLYLE FLEMING**, **LAWRENCE PINKSTON**, and others, attended a WOS meeting. During the meeting, Myron Farris, then the Regional President of WOS, instructed the Sergeant at Arms to inspect the "Prospects" for their "kits."

19.14 On or about September 12, 2009, WOS members **DOMINIC HENLEY**, **LAWRENCE PINKSTON**, the late Myron Farris, and others attended a WOS meeting in which they discussed the need to raise money for a fellow WOS member, who had been arrested for shooting a rival club member. Specifically, they announced that the same member needed \$15,000 to pay his attorney. This debt was discussed as being the responsibility of WOS. At the same meeting, **DOMINIC HENLEY** instructed other members that they needed to raise money for **TIMOTHY BALLE** as well. **LAWRENCE PINKSTON** then announced that there was a warrant issued for his arrest arising out of a situation in which he stole "colors" from someone.

Myron Farris informed **LAWRENCE PINKSTON** that the offense was a misdemeanor. However, **DOMINIC HENLEY** interjected, announcing that he has First Degree Robbery and Armed Criminal Action charges for the same conduct. Myron Farris then asked about the location of the "rags" that were taken. **DOMINIC HENLEY** informed him that they were in "safe keeping." Myron Farris then instructed **DOMINIC HENLEY** to get the "rags" out of state.

19.15 During that same September 12, 2009 meeting, a controversy erupted regarding **LAWRENCE PINKSTON's** conduct on the occasion of the August 15, 2009 shooting. **LAWRENCE PINKSTON** explained that he did not see the guys that had guns, because he was outside talking to a girl. At one point, **LAWRENCE PINKSTON** began yelling at **DOMINIC HENLEY**, and **LAWRENCE PINKSTON** was immediately reprimanded for speaking to his Chapter President in that disrespectful manner. Shortly thereafter, **THOMAS BAILEY** slapped **LAWRENCE PINKSTON**. Myron Farris then stripped **LAWRENCE PINKSTON** of his "colors," and told him that he was now a "Prospect."

19.16 At that same September 12, 2009 meeting, numerous WOS members discussed wanting to beat **LAWRENCE PINKSTON** for his failure to protect **DOMINIC HENLEY** on August 15, 2009. More specifically, **ANTHONY ROBINSON** suggested that **DOMINIC HENLEY's** last two shots should have been at **LAWRENCE PINKSTON**.

19.17 On or about September 12, 2009, **CARLYLE FLEMING** informed another WOS member that **CARLYLE FLEMING** had stabbed a person in the head and arm during a fight at the "Dirty Dozen" motorcycle club in Chicago, Illinois. He further reported that he shot another individual in the stomach at a club called "Highlight Moon" on an unknown date at 4:00 in the morning. **CARLYLE FLEMING** informed his fellow WOS member that he would have

killed the victim, but that his gun jammed and the victim ran away. **CARLYLE FLEMING** stated that he left before police arrived, and went to Indianapolis, Indiana.

19.18 During that same September 12, 2009 conversation, **CARLYLE FLEMING** told the same WOS member that if he were in charge, he would expel **LAWRENCE PINKSTON** from WOS until **LAWRENCE PINKSTON** "took care of" the person who shot **DOMINIC HENLEY**. **CARLYLE FLEMING** explained that he would provide **LAWRENCE PINKSTON** with the "artillery" and give him a time-frame of a few days to a week. He stated that he would give **LAWRENCE PINKSTON** a stolen motorcycle so he could get away more quickly. **CARLYLE FLEMING** then stated that if **LAWRENCE PINKSTON** failed again, **LAWRENCE PINKSTON** "would not be breathing anymore" because **CARLYLE FLEMING** would "literally take him out." **CARLYLE FLEMING** later brandished a handgun and talked about **LAWRENCE PINKSTON** not being a killer, despite being among killers.

19.19 On or about September 12, 2009, during a continued conversation about **LAWRENCE PINKSTON** and his unacceptable response on August 15, 2009, **FREDERICK MORGAN** instructed other WOS members that when discussing firearms over the phone, they should refer to firearms as "bottles of wine." **FREDERICK MORGAN** then discussed that **LAWRENCE PINKSTON** needed to "take care of" the person who shot **DOMINIC HENLEY**.

19.20 During a September 13, 2009 meeting, **NORMAN VICK** proposed having females hold guns for WOS members when they are out. **NORMAN VICK** also proposed carrying hammers as weapons instead of guns when they are in the city.

19.21 At that same September 13, 2009 meeting, **DOMINIC HENLEY** informed WOS members that he wanted them to help out his wife if he got locked up. **DOMINIC HENLEY**

also discussed the payment of dues, and conducting a fundraiser for WOS members in jail.

DOMINIC HENLEY then required each WOS member to fill out an "emergency contact" form with their full names. He and fellow WOS member **NORMAN VICK** discussed concerns about the police finding the forms, with **DOMINIC HENLEY** explaining that if all someone does for the club is kill, and police only know that member by an alias, the forms would help police identify the person by real name. **DOMINIC HENLEY** then suggested that the forms be kept in a safe deposit box for that reason.

19.22 On or about October 3, 2009, the late Myron Farris, then the Midwest Region President of WOS, conducted a meeting at which numerous members, including **FREDERICK MORGAN, NORMAN VICK, ALLAN HUNTER, CARLYLE FLEMING, ANTHONY ROBINSON**, and others were in attendance. After extensive conversation regarding the WOS Constitution and rules, Myron Farris presided over a discussion about "G.G." and the "charges" against him. Following the discussion, Myron Farris decided that the "charges" against "G.G." were dismissed.

19.23 On or about October 3, 2009, Myron Farris informed WOS members that the Chapter Presidents needed to begin raising money for a WOS member's defense. Myron Farris reported that since the WOS member was taking care of "the Nation's" business, his defense is "the Nation's" responsibility. During the same discussion, Myron Farris asked, "do you know how many f**king murders we have on our hands?"

19.24 On or about October 4, 2009, **NORMAN VICK** contacted a fellow WOS member and instructed him to "snag those colors. Come by the crib. I need you to come by the crib as soon as possible with the colors." The recipient of the call, understanding that

NORMAN VICK was requesting the "colors" that had been stolen from J.P. and C.P. on August 10, 2009, retrieved those "colors" as he was told.

19.25 Later on October 4, 2009, **NORMAN VICK** informed his fellow WOS member "that item is took [sic] care of. Matter of fact, it is a hot cinder right about now."

19.26 On or about October 18, 2009, **NORMAN VICK, DOMINIC HENLEY** and other WOS members attended a meeting in St. Louis, Missouri. During that meeting, **NORMAN VICK** handed out copies of the "emergency contact" forms and Bylaws. **NORMAN VICK** then read aloud the "Wheels Oath" that each member was expected to swear. **DOMINIC HENLEY** then read the Constitution aloud. Later, **DOMINIC HENLEY** discussed, in vague terms, the August 15, 2009 shooting in which K.B. was killed. **DOMINIC HENLEY** reported that during that incident, he "messed up on many levels." He later states that "revenge" could take 3-4 months.

19.27 On or about November 7, 2009, **JAMES C. SMITH, ALLAN HUNTER, FREDERICK MORGAN, DOMINIC HENLEY, THOMAS BAILEY**, and other WOS members attended a meeting in Chicago, Illinois. During the meeting, **JAMES C. SMITH** informed fellow WOS members:

- Not to put WOS business on the street
- Not to talk to anyone without the "Wheel and Wing" about WOS business
- That WOS is a brotherhood, stating, "we will bleed for you, we will die for you"
- That they must support each other in the street, warning, "If I'm in a situation out there and you leave me, you better hope to God I don't survive, because the first motherf**ker I'm looking for is the motherf**ker that left me."
- That Myron Farris was the Midwest Region President, and **FREDERICK MORGAN** is his "right-hand man."

- That there is an "ongoing situation" with the Sin City Disciples [sic]
- That if members are on the street and "there is someone out there without the Wheel and Wing, you can consider them your enemy until proven differently. Consider that's your enemy."
- That their phone can be their worst enemy and that they must speak in code.

JAMES C. SMITH also passed out copies of the WOS Constitution.

19.28 At the same November 7, 2009 meeting, **FREDERICK MORGAN** expressed concern about the "feds" knowing everything they were doing, and that he would "part the ear" of anyone who talks to police.

19.29 Also at the November 7, 2009 meeting, an unknown WOS member complained that the President of the Cincinnati Chapter had been stabbed seven times, and another member stabbed twice. The unknown member expressed frustration that the WOS were "sitting around asking what the f**k we are doing when motherf**kers stabbed our bros." He then explained that "these punk motherf**kers out here pulling this God-damn bulls**t with us because there ain't s**t happening and that's up to everybody in here." The unknown member then urged fellow WOS that "they pulling this s**t 'cause they think they can get away with it." In response, WOS member "Baby Boy," agreed, "everybody need to grab their nuts and say f**k the police 'cause that's the only way it can be seen." A second unknown WOS member then added, "snitches are a dying breed," and a third unknown member stated that "you are supposed to give everything for this."

19.30 During the November 7, 2009 meeting, **DOMINIC HENLEY** lamented that "we got too many brothers out here doing trying to be pseudo-outlaws, doing s**t they don't normally do. They put these rags on and do stupid s**t that we never would have been in if they had used their brain."

19.31 On or about December 2, 2009, **TIMOTHY BALLE** sold a Norinco SKS 7.62 x 39 mm assault rifle, along with twelve (12) boxes of 7.62 x 39 mm ammunition, to a known felon and fellow WOS member, intending that the rifle would be used to retaliate for the August 15, 2009 incident in which **TIMOTHY BALLE** and **DOMINIC HENLEY** were shot by rival OMG member.

19.32 On or about January 15, 2010, **JAMES C. SMITH, DOMINIC HENLEY** and other WOS members attended a WOS National meeting in Philadelphia, Pennsylvania. During the meeting, **JAMES C. SMITH** stated, among other things:

- WOS is "strictly outlaw"
- Members must listen to Presidents. Disrespect will result in "splitting heads"
- "Boss" is National President. **JAMES C. SMITH** is National Vice-President.
- If a member is asked to do something by the National President or Vice President, the member must do it. If a "full color" asks something of a "Prospect," the "Prospect" must immediately comply.
- WOS members are "outlaws" and that if civilians step out of line, they will "get what's coming to them." WOS members are to be "outlaw" at all times, and WOS is not "weekend warrior s**t," it is a lifestyle.

19.33 On January 8, 2010, **JAMES C. SMITH** announced that the Outkast motorcycle club has been instructed that they are not to "set up shop" in Virginia and that if members see Outkast in Virginia, they are to "shut it down."

19.34 On or about January 22, 2010, **FREDERICK MORGAN** kidnapped a member of a rival motorcycle club by holding him against his will in the clubhouse of the Joker's Wrath Motorcycle Club in Youngstown, Ohio, and threatening to kill the individual and members of the individual's family.

19.35 On or about February 27, 2010, **ANTHONY ROBINSON** was arrested in Chicago, Illinois, for possession of an asp (a retractable baton-type weapon) and marijuana. Following his arrest, **ANTHONY ROBINSON** made a remark about needing to protect himself because people were being killed. **ANTHONY ROBINSON** was wearing WOS "colors" and was working security for the "Dirty Dozen" motorcycle club at the time.

19.36 On or about February 28, 2010, **TONEY SIMS** was arrested in Chicago, Illinois, for possession of a blackjack and a switchblade. **TONEY SIMS** was wearing WOS "colors" at the time of his arrest, and reported that he was working security for the "Dirty Dozen" motorcycle club.

19.37 On or about March 2, 2010, **CARLYLE FLEMING** was arrested in Chicago, Illinois, on a warrant for the August 2009 shooting at the Howling Moon. At the time of his arrest, **CARLYLE FLEMING** was discovered to be in possession of a .22 caliber Beretta handgun and eight (8) live rounds.

19.38 On or about June 30, 2010, **BRYANT PALMER** and **TONEY SIMS** sold 56 grams of cocaine base ("crack") to a fellow WOS member in Chicago, Illinois.

19.39 On or about July 15, 2010, **BRYANT PALMER** and **TONEY SIMS** sold 57 grams of cocaine base ("crack") to a fellow WOS member in Chicago, Illinois.

19.40 On or about July 17, 2010, Midwest Region President Myron Farris was shot in the head and killed in Chicago, Illinois. Shortly thereafter, **ALLAN HUNTER** was installed as the new Midwest Region President.

19.41 On or about July 28, 2010, **TONEY SIMS** acted as a broker for a transaction in which a WOS member sold a .20 gauge shotgun to a fellow WOS member.

19.42 Between August 4 and August 7, 2010, hundreds of WOS members from across the United States attended a OMG "roundup," that is, a large-scale rally including several groups, held in Columbia, Missouri.

19.43 On or about August 2, 2010, **MARSHALL FRY** and other members of the WOS went to the Hells' Lovers clubhouse in Denver, Colorado. **MARSHALL FRY** was driving a dark colored sport-utility vehicle. As he neared the Hells' Lovers clubhouse, **MARSHALL FRY** fired two shots from a short-barreled shotgun at the clubhouse, which was occupied by several members of the Hells' Lovers. At least three Hells' Lovers members exited the clubhouse and returned fire.

19.44 On or about August 10, 2010, **DOMINIC HENLEY** presided over a WOS meeting in St. Louis, Missouri, during which he speculated that the murder of Myron Farris was an "inside job." **DOMINIC HENLEY** also referenced his upcoming trial for the August 10, 2009 robbery of J.P. and C.P., and that after the trial, he intended to "take care of" the victims.

19.45 On or about September 10, 2010, **ALLAN HUNTER, MAURICE THOMAS, BRYANT PALMER** and **THOMAS BAILEY** sold 59 grams of cocaine base ("crack") to a fellow WOS member in Chicago, Illinois. **ALLAN HUNTER** was armed with a firearm at the time of the sale.

19.46 On or about September 25, 2010, **ALLAN HUNTER, FREDERICK MORGAN, CARLOS WESLEY ROSE, SR., THOMAS BAILEY, BRYANT PALMER,** and others attended a Midwest Region Meeting of WOS in Chicago, Illinois. **CARLOS WESLEY ROSE, SR.** was announced as the President of a new chapter in Kentucky.

19.47 During the September 25, 2010 meeting, **THOMAS BAILEY** complained that WOS members were putting other clubs on the same level as WOS, when they were not.

THOMAS BAILEY reminded members that the WOS is more than a club - it is a brotherhood. He urged those who don't understand that to get out. **THOMAS BAILEY** then announced that he would "bust the head" of anyone who slips. He cautioned that WOS was "at war" with the Outkast OMG and they need to "get their s**t together or get the f**k out because the s**t is crazy." **THOMAS BAILEY** stated that he would not go to members' towns and be "side by side" with them or "carry a pistol to try and kill a motherf**ker" if the other members are going to be running away.

19.48 Also during the September 25, 2010 meeting, **ALLAN HUNTER** announced that it "is all the way out with Outkast at this point."

19.49 Also at the September 25, 2010 meeting, **FREDERICK MORGAN** then explained the genesis of the feud with the Outkast OMG. Specifically, he stated that it occurred in North Carolina, where Outkast members were talking about being the dominant club. The Outkast OMG was blessing bikes and threatening to shut other clubs down, so the WOS went to North Carolina to stop them, but Outkast members did not follow through. Outkast members later claimed (falsely, according to **FREDERICK MORGAN**) that WOS members had assaulted them. As a result, Outkast members in New Jersey got into a shoot-out with WOS members there. **FREDERICK MORGAN** then stated that WOS members had gone to Outkast's front door to "talk to them," and Outkast ran out the back door. **FREDERICK MORGAN** declined to discuss specifics, inviting member to "read between the lines."

19.50 On or about September 25, 2010, **BRYANT PALMER** offered to sell heroin to a fellow WOS member.

19.51 On or about October 8, 2010, **CARLOS WESLEY ROSE, SR.** instructed a fellow WOS member on how to manufacture pipe-bombs.

19.52 On or about October 9, 2010, **JAMES C. SMITH, CARLOS WESLEY ROSE, SR., THOMAS BAILEY** and other WOS members attended a WOS anniversary party in Alabama. Eight (8) unknown WOS members assaulted an unidentified man wearing an "Outkast" support shirt, and stole the shirt from the unidentified man.

19.53 On or about October 11, 2010, **ALLAN HUNTER** arranged to sell one-half ounce of heroin to a fellow WOS member in St. Louis, Missouri.

19.54 On or about October 14, 2010, a WOS member sent \$1,000 to **ALLAN HUNTER** via wire transfer service, as payment for the heroin transaction arranged on October 11, 2010. As instructed, the WOS member sent the wire transfer to **ALLAN HUNTER's** wife's account at Bank of America. Later in the same day, **ALLAN HUNTER** sent the money back to the WOS member in St. Louis, Missouri, via wire transfer, explaining that he could not make the trip to St. Louis, Missouri, to conduct the transaction.

19.55 On or about October 22, 2010, **ALLAN HUNTER** sold 66 grams of cocaine base ("crack") to a WOS member in Chicago, Illinois. **ALLAN HUNTER's** source of supply for the cocaine base ("crack") was **MAURICE THOMAS**.

19.56 On or about December 2, 2010, **ALLAN HUNTER** sold 66 grams of cocaine base ("crack") to a WOS member in Chicago, Illinois. **ALLAN HUNTER'S** source of supply for the cocaine base ("crack") was **MAURICE THOMAS**.

19.57 On or about December 9, 2010, **ALLAN HUNTER** sold 39 grams of cocaine base ("crack") to a WOS member in Chicago, Illinois. **ALLAN HUNTER's** source of supply for the cocaine base ("crack") was **MAURICE THOMAS**.

19.58 On or about January 2, 2011, **ANTHONY ROBINSON** shot a person to death in Chicago, Illinois, during an altercation with members of the "Street Soldiers." WOS member Bryant Glass was also killed.

19.59 On or about January 8, 2011, **ANTHONY ROBINSON** sold a .40 caliber handgun to a fellow WOS member in Chicago, Illinois. **ANTHONY ROBINSON** warned the fellow WOS member that he should get rid of the gun, and that if he intended to keep it, he should "change out the barrel."

19.60 On or about January 17, 2011, **ANTHONY ROBINSON** and **WALTER LEE** transported an AK-47 type assault rifle, a shotgun, and a bulletproof vest from Philadelphia, Pennsylvania, to Chicago, Illinois. The items were unloaded from the vehicle and stored in the WOS clubhouse in Chicago, Illinois. The firearms were obtained from Mother Chapter members to assist WOS in retaliating against the Street Soldiers.

19.61 On or about January 27, 2011, **ALLAN HUNTER** sold 63 grams of cocaine base ("crack") to a WOS member in Chicago, Illinois. **ALLAN HUNTER's** source of supply for the cocaine base ("crack") was **MAURICE THOMAS**.

19.62 On or about January 29, 2011, **ALLAN HUNTER, DOMINIC HENLEY, JERRY ELKINS, MARSHALL FRY, RASHEED JAMAL BRANDON** and **WALTER LEE** conspired to shoot and kill members of the Outkast OMG, whose members had assembled in East St. Louis, Illinois, for a dance. At the direction of **JERRY ELKINS, MARSHALL FRY** and **RASHEED JAMAL BRANDON** traveled to East St. Louis, Illinois, and met with **WALTER LEE** and **DOMINIC HENLEY**, who were already there in order to shoot and kill the Outkast, whose members had assembled in East St. Louis, Illinois. The WOS group aborted

the mission when they discovered numerous State and Local law enforcement officers near the location of the gathering the Outkast members were attending.

19.63 Between January 29, 2011 and February 5, 2011, **ALLAN HUNTER** threatened to kill or seriously injure a former WOS member who had left the WOS and was later seen wearing the "colors" of another motorcycle club. **ALLAN HUNTER** agreed to forego killing or seriously injuring the recipient of the threat if he paid **ALLAN HUNTER** money.

19.64 On or about February 15, 2011, **CARLOS WESLEY ROSE, SR.** informed **ALLAN HUNTER** that he was coming to Chicago, Illinois, for a party, and that he was bringing **ALLAN HUNTER** the "present" that **HUNTER** had requested. The "present" consisted of a pipe bomb that **HUNTER** and **ROSE** intended to use to kill members of the Hell's Lovers in Chicago.

19.65 On or about February 18, 2011, Oldham County Police Department officers conducted a traffic stop on a vehicle in which **CARLOS WESLEY ROSE, SR.** was traveling. During a subsequent search of the vehicle, officers discovered Tannerite (a mixture of ammonium nitrate and aluminum powder), a highly explosive mixture. It was concealed inside his WOS vest, along with cannon fuse. **CARLOS WESLEY ROSE, SR.** was also in possession of a stolen Glock handgun. A subsequent consent search of **CARLOS WESLEY ROSE, SR.'s** residence revealed 18 additional containers of Tannerite.

19.66 On or about March 6, 2011, in Marion, Ohio, **ANTHONY ROBINSON** shot three victims in the back as they fled from the scene of a party, killing one and seriously injuring another. **ALLAN HUNTER** was present at the scene and also fired a handgun, shooting indiscriminately into a crowd of party-goers. **ALLAN HUNTER** was wearing a bulletproof vest at the time.

All in violation of Title 18, United States Code, Section 1962(d).

Notice of Special Sentencing Factors

19.67 Regarding Overt Acts 19.45, 19.55, 19.56, 19.57, and 19.61, between approximately June 30, 2010, and continuing until the present, **ALLAN HUNTER, MAURICE THOMAS, BRYANT PALMER** and **THOMAS BAILEY**, acting together and by agreement, and for the common purpose of raising funds on behalf of WOS, sold cocaine base ("crack") to a fellow WOS member. The transactions occurred in Chicago, Illinois. These transactions, of which there were at least seven (7), constituted, in the aggregate, in excess of 280 grams of cocaine base ("crack").

19.68 Regarding Overt Act 19.7, on or about August 15, 2009, in St. Louis, Missouri, **DOMINIC HENLEY** and **TIMOTHY BALLE**, while aiding each other in the commission of the offense, did knowingly cause the death of another person, or, with the purpose of causing serious physical injury to another person, caused the death of another person, to-wit: K.B., in violation of Mo. Rev. Stat. 565.021 and 562. 041.

19.69 Regarding Overt Act 19.58, on or about January 2, 2011, in Chicago, Illinois, **ANTHONY ROBINSON** did kill Bryant Glass without justification and, in performing the acts which caused that death, intended to kill or do great bodily harm to another or knew that such act would cause death to another or knew that such act created a strong probability of death or great bodily harm to another, and at the time of the killing, **ANTHONY ROBINSON** was acting under a sudden and intense passion resulting from serious provocation by the individual killed or another whom **ANTHONY ROBINSON** endeavored to kill, but he negligently or accidentally caused the death of Bryant Glass, or at the time of the killing, **ANTHONY ROBINSON**

believed the circumstances to be such that, if they existed, would justify or exonerate the killing, but his belief was unreasonable; in violation of 720 ILCS 5/9-2.

19.70 Regarding Overt Act 19.66, on or about March 6, 2011, in Marion, Ohio, **ANTHONY ROBINSON** did purposely cause the death of another person in violation of Ohio R.C. §2903.02.

COUNT II.
(18 U.S.C. §1959(a)(1) -- Murder in Aid of Racketeering Activity)

20. The allegations contained in paragraphs 2 - 17 are realleged and incorporated as if fully set forth herein.

21. At all times relevant to this Indictment, the Wheels of Soul (WOS), including its leadership, membership and associates, constituted an "enterprise" as defined in 18 U.S.C. §1959(b)(2), that is, a group of individuals associated in fact that was engaged in, and the activities of which affected, interstate commerce. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

22. At all times relevant to this Indictment, "WOS," through its members and associates, engaged in racketeering activity, as defined in 18 U.S.C. §§ 1959(b)(1) and 1961(1), that is, acts and threats involving murder, robbery, assault with a dangerous weapon and assault resulting in serious bodily injury, trafficking in controlled substances, in violation of the laws of the States of Missouri and Illinois, and the United States.

23. On or about August 15, 2009, in the Eastern District of Missouri, the Defendants,

DOMINIC HENLEY, a/k/a "Bishop," and
TIMOTHY BALLE, a/k/a "T,"

for the purpose of maintaining and increasing position in "WOS," an enterprise engaged in racketeering activity, did murder an individual whose identity is known to the Grand Jury, and did aid and abet therein, in violation of Mo. Rev. Stat. 565.021 (Murder in the Second Degree),

All in violation of and punishable under Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Code, Section 2.

COUNT III.
(18 U.S.C. §924(c)(1)(A) -- Discharge of a Firearm During and
In Relation to a Crime of Violence)

24. The allegations contained in paragraphs 20-22 are realleged and incorporated as if fully set forth herein.

25. On or about August 15, 2009, in the Eastern District of Missouri, the Defendants,

DOMINIC HENLEY, a/k/a "Bishop," and
TIMOTHY BALLE, a/k/a "T,"

during and in relation to the crime of violence alleged in Count II of this Indictment, did knowingly use, carry, brandish, and discharge a firearm, and did aid and abet therein,

In violation of Title 18, United States Code, Section 924(c)(1)(A), and punishable under Title 18, United States Code, Section 924(j).

COUNT IV.
(18 U.S.C. §1959(a)(5) -- Attempt to Commit Murder in Aid of Racketeering Activity)

26. The allegations contained in paragraphs 20-22 are realleged and incorporated as if fully set forth herein.

27. On or about August 15, 2009, in the Eastern District of Missouri, the Defendant,

LAWRENCE PINKSTON, a/k/a "Pac,"

for the purpose of maintaining and increasing position in "WOS," an enterprise engaged in racketeering activity, did attempt to kill an individual whose identity is known to the Grand Jury by attempting to shoot the victim with a firearm, in violation of Mo. Rev. Stat. 565.050,

All in violation of and punishable under Title 18, United States Code, Section 1959(a)(5).

COUNT V.

(18 U.S.C. §1959(a)(5) -- Attempt to Commit Murder in Aid of Racketeering Activity)

28. The allegations contained in paragraphs 20-22 are realleged and incorporated as if fully set forth herein.

29. On or about August 17, 2009, in the Northern District of Illinois, the Defendant,

CARLYLE FLEMING, a/k/a "Thundercat," "Jermaine Fleming,"

for the purpose of maintaining and increasing position in "WOS," an enterprise engaged in racketeering activity, did, without legal justification, with intent to kill, did an act, to-wit: shoot victim R.T. about the body with a firearm, which constituted a substantial step toward the commission of the offense of First Degree Murder, in violation of Chapter 720, Act 5, Section 8-4(720-5/9-1(A)(1)) of the Illinois Compiled Statutes 1992, as amended,

All in violation of and punishable under Title 18, United States Code, Section 1959(a)(5).

COUNT VI.

(18 U.S.C. §1512(c) -- Tampering with a Victim, Witness or Informant)

30. On or about October 4, 2009, in the Eastern District of Missouri, the Defendant,

NORMAN VICK, a/k/a "Justice,"

corruptly altered, destroyed, mutilated, and concealed an object, with the intent to impair the object's integrity or availability for use in an official proceeding,

In violation of Title 18, United States Code, Section 1512, and punishable under Title 18, United States Code, Section 1512(c).

COUNT VII.

(18 U.S.C. §922(d)(1) -- Sale of a Firearm to a Previously Convicted Felon)

31. On or about December 2, 2009, in the Eastern District of Missouri, the Defendant,

TIMOTHY BALLE, a/k/a "T,"

did sell or otherwise dispose of a firearm, as defined by Title 18, United States Code, Section 921(a)(3), to any person, knowing and having reasonable cause to believe that such person had been convicted in any court of a crime punishable by imprisonment for a term exceeding one year,

In violation of Title 18, United States Code, Section 922(d)(1), and punishable under Title 18, United States Code, Section 924(a)(2).

COUNT VIII.

(18 U.S.C. §1959(a)(1) -- Kidnapping in Aid of Racketeering Activity)

32. The allegations contained in paragraphs 20-22 are realleged and incorporated as if fully set forth herein.

33. On or about January 15, 2010, in the Northern District of Ohio, the Defendant,

FREDERICK MORGAN, a/k/a "Low Rider,"

for the purpose of maintaining and increasing position in "WOS," an enterprise engaged in racketeering activity, did, by any means, remove a person from the place where the other person was found, or did restrain the liberty of the other person, for the purpose of terrorizing the victim, in violation of Chapter 2905, Section 01 of the Ohio Revised Code,

All in violation of and punishable under Title 18, United States Code, Section 1959(a)(1).

COUNT IX.
(21 U.S.C. §§ 841 and 846 -- Conspiracy to Distribute and Possess with the Intent to Distribute a Controlled Substance - Cocaine Base)

34. Beginning on or about June 30, 2010, and continuing until sometime in February 2011, with the exact dates unknown, in the Northern District of Illinois and elsewhere, the Defendants,

ALLAN HUNTER, a/k/a "Dog,"
MAURICE THOMAS,
BRYANT PALMER, a/k/a "Dot," and
THOMAS BAILEY, a/k/a "Que," "Q-Ball,"

did knowingly and intentionally combine, conspire, confederate and agree, together with each other and with other persons both known and unknown to the Grand Jury, to commit the following offenses against the United States: to knowingly and intentionally distribute and possess with the intent to distribute a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1),

All in violation of Title 21, United States Code, Section 846; and

The quantity of mixture or substance containing a detectable amount of cocaine base ("crack") involved in the offense was in excess of 280 grams, making the offense punishable under Title 21, United States Code, Section 841(b)(1)(A)(iii).

COUNT X.
(21 U.S.C. §§ 841 and 846 -- Conspiracy to Distribute and Possess with the Intent to Distribute a Controlled Substance - Cocaine Base)

35. Beginning on or about June 30, 2010, and continuing until sometime in February 2011, with the exact dates unknown, in the Northern District of Illinois and elsewhere, the Defendants,

**BRYANT PALMER, a/k/a "Dot," and
TONEY SIMS, a/k/a "Big T," "Tone,"**

did knowingly and intentionally combine, conspire, confederate and agree, together with each other and with other persons both known and unknown to the Grand Jury, to commit the following offenses against the United States: to knowingly and intentionally distribute and possess with the intent to distribute a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 846; and

The quantity of mixture or substance containing a detectable amount of cocaine base ("crack") involved in the offense was in excess of 28 grams, making the offense punishable under Title 21, United States Code, Section 841(b)(1)(B)(iii).

COUNT XI.
(18 U.S.C. §1959(a)(5) -- Attempt to Commit Murder in Aid of Racketeering Activity)

36. The allegations contained in paragraphs 20-22 are realleged and incorporated as if fully set forth herein.

37. On or about August 2, 2010, in the District of Colorado, the Defendant,

MARSHALL FRY, a/k/a "Bo," "Big Bo,"

for the purpose of maintaining and increasing position in "WOS," an enterprise engaged in racketeering activity, did knowingly attempt to cause the death of another person, in violation of Title 18, Article 3, Section 103 of the Colorado Revised Statutes, as amended,

All in violation of and punishable under Title 18, United States Code, Section 1959(a)(5).

COUNT XII.

(18 U.S.C. §1959(a)(1) -- Murder in Aid of Racketeering Activity)

38. The allegations contained in paragraphs 20-22 are realleged and incorporated as if fully set forth herein.

39. On or about January 2, 2011, in the Northern District of Illinois, the Defendant,

ANTHONY ROBINSON, a/k/a "Blade,"

for the purpose of maintaining and increasing position in "WOS," an enterprise engaged in racketeering activity, did murder a victim whose identity is known to the Grand Jury, purposely causing the death of the victim, in violation of Chapter 720, Act 5, Section 9-2(a)(1) of the Illinois Compiled Statutes 1992, as amended,

All in violation of and punishable under Title 18, United States Code, Section 1959(a)(1).

COUNT XIII.

(18 U.S.C. §1959(a)(5) -- Attempt to Commit Murder in Aid of Racketeering Activity)

40. The allegations contained in paragraphs 20-22 are realleged and incorporated as if fully set forth herein.

41. On or about January 2, 2011, in the Northern District of Illinois, the Defendant,

ANTHONY ROBINSON, a/k/a "Blade,"

for the purpose of maintaining and increasing position in "WOS," an enterprise engaged in racketeering activity, with the intent to commit a specific offense, to-wit: First Degree Murder,

did without legal justification and with the intent to kill, shoot a victim whose identity is known to the Grand Jury about the body with a firearm, an act constituting a substantial step toward the commission of First Degree Murder, in violation of Chapter 720, Act 5, Section 8-4 (720 -5/9-1(A)(1)) of the Illinois Compiled Statutes 1992, as amended,

All in violation of and punishable under Title 18, United States Code, Section 1959(a)(5).

COUNT XIV.

(18 U.S.C. §1959(a)(5) -- Conspiracy to Commit Murder in Aid of Racketeering Activity)

42. The allegations contained in paragraphs 20-22 are realleged and incorporated as fully set forth herein.

43. On or about January 29, 2011, in the Northern District of Illinois and elsewhere, the Defendants,

**ALLAN HUNTER, a/k/a "Dog,"
DOMINIC HENLEY, a/k/a "Bishop,"
JERRY ELKINS, a/k/a "Shakka," "Shaca,"
MARSHALL FRY, a/k/a "Bo," "Big Bo,"
RASHEED JAMAL BRANDON, a/k/a "Diamond," and
WALTER LEE, a/k/a "Lil Dude,"**

for the purpose of maintaining and increasing position in "WOS," an enterprise engaged in racketeering activity, did, with the intent that the offense of First Degree Murder be committed, agreed with each other to purposely cause the deaths of an individual or individuals whose identities are unknown to the Grand Jury, and an act in furtherance thereof was committed, to-wit: one or more named individuals traveled to East St. Louis, Illinois, one or more named individuals engaged in conversations regarding the murder of unnamed members of the Outkast OMG, and one or more named individuals traveled to a specific site at which the intended victims were known to be located and did abort a planned shooting only after discovering a

heavy law enforcement presence in the area, in violation of Chapter 720, Act 5, Section 8-2 (Conspiracy) (720-5/ 9-1(A)(1)),

All in violation of and punishable under Title 18, United States Code, Section 1959(a)(5).

COUNT XV.
(18 U.S.C. §1959(a)(5) -- Conspiracy to Commit Murder in Aid of Racketeering Activity)

44. The allegations contained in paragraphs 20-22 are realleged and incorporated as if fully set forth herein.

45. On or about February 15, 2011, in the Northern District of Illinois and elsewhere, the Defendants,

**ALLAN HUNTER, a/k/a "Dog," and
CARLOS WESLEY ROSE, SR., a/k/a "Pit Bull,"**

for the purpose of maintaining and increasing position in "WOS," an enterprise engaged in racketeering activity, did, with the intent that the offense of First Degree Murder be committed, agreed with each other to purposely cause the deaths of an individual or individuals whose identities are unknown to the Grand Jury, and an act in furtherance thereof was committed, to-wit: **CARLOS WESLEY ROSE, SR.** traveled from Louisville, Kentucky, en route to Chicago, Illinois, with a highly explosive mixture of ammonium nitrate and aluminum powder, along with cannon fuse, which he planned to use to manufacture one or more explosive devices which **ROSE** and **HUNTER** intended to use against members of the Hell's Lovers Motorcycle Club in Chicago, Illinois, in violation of Chapter 720, Act 5, Section 8-2 (Conspiracy) (720-5/ 9-1(A)(1)),

All in violation of and punishable under Title 18, United States Code, Section 1959(a)(5).

COUNT XVI.

(18 U.S.C. §1959(a)(1) -- Murder in Aid of Racketeering Activity)

46. The allegations contained in paragraphs 20-22 are realleged and incorporated as if fully set forth herein.

47. On or about March 6, 2011, in the Northern District of Ohio, the Defendant,

ANTHONY ROBINSON, a/k/a "Blade,"

for the purpose of maintaining and increasing position in "WOS," an enterprise engaged in racketeering activity, did purposely cause the death of another, whose identity is known to the Grand Jury, in violation of Chapter 2903, Section 02 of the Ohio Revised Code,

All in violation of and punishable under Title 18, United States Code, Section 1959(a)(1).

COUNT XVII.

(18 U.S.C. §1959(a)(5) -- Attempt to Commit Murder in Aid of Racketeering Activity)

48. The allegations contained in paragraphs 20-22 are realleged and incorporated as if fully set forth herein.

49. On or about March 6, 2011, in the Northern District of Ohio, the Defendants,

**ANTHONY ROBINSON, a/k/a "Blade," and
ALLAN HUNTER, a/k/a "Dog,"**

for the purpose of maintaining and increasing position in "WOS," an enterprise engaged in racketeering activity, did knowingly and intentionally engage in conduct that, if successful, would constitute or result in the offense of First Degree Murder, to-wit: shot numerous rounds from firearms at fleeing victims, striking some, in violation of Chapter 2923, Section 02 of the Ohio Revised Code,

All in violation of and punishable under Title 18, United States Code, Section 1959(a)(5).

FORFEITURE ALLEGATION

The Grand Jury further finds by probable cause that:

1. Pursuant to Title 18, United States Code, Section 1963(a), upon conviction of an offense in violation of Title 18, United States Code, Section 1962(d), as set forth in Count I of the Indictment, the defendants shall forfeit to the United States of America: any interest the person has acquired or maintained in violation of Section 1962(d); any interest in, security of, claim against, or property or contractual right of any kind affording a source of influence over, any enterprise which the person has established, operated, controlled, conducted, or participated in the conduct of, in violation of Section 1962(d); and any property constituting, or derived from, any proceeds which the person obtained, directly or indirectly, from racketeering activity or unlawful debt collection in violation of Section 1962(d).

a. Subject to forfeiture is a sum of money equal to the total value of property constituting, or derived from, any proceeds obtained directly or indirectly as a result of said offense.

2. Pursuant to Title 21, United States Code, Section 853(a), upon conviction of an offense in violation of Title 21, United States Code, Sections 841(a)(1) and 846, as set forth in Counts IX and X of the Indictment, the defendants shall forfeit to the United States of America: any property, constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as a result of such violations; and any property used, or intended to be used, in any manner or part to commit or to facilitate the commission of such violations.

a. Subject to forfeiture is a sum of money equal to the total value of property constituting, or derived from, any proceeds obtained directly or indirectly as a result of said offense.

3. Specific property subject to forfeiture includes, but is not limited to, the following:

- a. 2005 Harley Davidson - VIN: 1HD1FXV145Y646579;
- b. 2009 Dodge Challenger - VIN: 2B3LJ54T89H603221;
- c. 2005 Big Dog Ridgeback Motorcycle - VIN: 5J11RBJ155W000996;
- d. 2004 Yamaha Motorcycle - VIN: JYAVM01E14A068680;
- e. 2007 Harley Motorcycle owned by Norman VICK; and
- f. 2003 Ford Mustang - VIN: 1FAFP42R33F436633.

4. If any of the property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty, the United States of America will be entitled to the forfeiture of substitute property pursuant to 18 U.S.C. §1963(m) and 21 U.S.C. § 853(p).

A TRUE BILL.

FOREPERSON

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