

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

FILED
U.S. DISTRICT COURT
INDIANAPOLIS DIVISION
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SOUTHERN DISTRICT
OF INDIANA
LAURA A. BRIGGS
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

V.

Cause No. 1:18-cr-00116-TWP-MJD

PIERRE RILEY,

REGGIE BALENTINE

a/k/a Pudge,

MICHAEL O'BANNON

a/k/a Lunchy,

KRISTIN KINNEY

a/k/a Cupcake,

MICHAEL JONES

a/k/a MJ,

JASON REED

a/k/a Jamon

a/k/a Jasil,

DERRICK OWENS,

DESHOUN EVERHART,

PERRY JONES,

SHAUN MYERS

a/k/a OL,

MELISSA BAIRD,

BRADLEY CLARK,

ANTWON ABBOTT, and

THOMAS JONES,

Defendants.

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THIRD SUPERSEDING INDICTMENT

The Grand Jury charges that:

Count One

(21 U.S.C. 841(a)(1) and 846—Conspiracy to Possess with Intent to Distribute and to Distribute Controlled Substances)

Beginning at a date unknown to the grand jury, but no later than mid-2016, and continuing up to and including May 1, 2018, in the Southern District of Indiana and elsewhere, PIERRE RILEY, REGGIE BALENTINE a/k/a Pudge, MICHAEL O'BANNON a/k/a Lunchy, KRISTIN KINNEY a/k/a Cupcake, MICHAEL JONES a/k/a MJ, JASON REED a/k/a Jamon a/k/a Jasil, DERRICK OWENS, DESHOUN EVERHART, PERRY JONES, SHAUN MYERS a/k/a OL, MELISSA BAIRD, BRADLEY CLARK, and THOMAS JONES, defendants herein, did knowingly conspire together and with diverse other persons, known and unknown to the Grand Jury, to possess with intent to distribute and to distribute controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1).

OBJECT OF THE CONSPIRACY

The object of the conspiracy was to possess with intent to distribute and to distribute controlled substances, including 50 grams or more of methamphetamine (actual), a Schedule II controlled substance.

MANNER AND MEANS

1. REGGIE BALENTINE communicated with a source of supply located in the State of Georgia, PIERRE RILEY, to obtain controlled substances, including methamphetamine. PIERRE RILEY would then send the methamphetamine to REGGIE BALENTINE using couriers who would bring the methamphetamine from Georgia to Kokomo, Indiana.
2. REGGIE BALENTINE worked with individuals such as MICHAEL O'BANNON, PERRY JONES, and others to distribute the controlled substances.
3. REGGIE BALENTINE routinely stored drugs and/or drug proceeds with individuals such as KRISTIN KINNEY, MELISSA BAIRD, and BRADLEY CLARK. KINNEY would bring

BALENTINE the controlled substances when BALENTINE was ready to sell them. KINNEY would also assist in counting the drug proceeds for BALENTINE. MELISSA BAIRD acted in a similar role as KINNEY, in that she would hold BALENTINE's controlled substances, and traveled to Georgia at BALENTINE's request to pick up controlled substances.

4. REGGIE BALENTINE would distribute the drugs to individuals such as MICHAEL JONES, JASON REED, DESHOUN EVERHART, DERRICK OWENS, and SHAUN MYERS.

5. MICHAEL JONES was assisted in his methamphetamine distribution activities in Kokomo, Indiana by THOMAS JONES.

6. The coconspirators receiving the drugs would further distribute them to others for a profit.

7. The coconspirators routinely utilized cellular phones to communicate and discuss their ongoing drug distribution activities.

8. Many of the coconspirators also possessed firearms in relation to their drug trafficking activities, in order to protect themselves, their drugs, and their drug proceeds.

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

Count Two

(21 U.S.C. 841(a)(1) Distribution of Controlled Substances)

On or about January 26, 2018, in the Southern District of Indiana, MICHAEL JONES a/k/a MJ and THOMAS JONES, defendants herein, knowingly and intentionally distributed 50 grams or more of methamphetamine (actual), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Count Three

(21 U.S.C. 841(a)(1) Possession with Intent to Distribute Controlled Substances)

On or about January 26, 2018, in the Southern District of Indiana, DESHOUN EVERHART, defendant herein, knowingly and intentionally possessed with the intent to distribute 50 grams or more of methamphetamine (actual), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Count Four

(21 U.S.C. 841(a)(1) Distribution of Controlled Substances)

On or about February 24, 2018, in the Southern District of Indiana, REGGIE BALENTINE a/k/a Pudge and Jason REED a/k/a Jamon a/k/a Jasil, defendants herein, knowingly and intentionally distributed 50 grams or more of methamphetamine (actual), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Count Five

(21 U.S.C. 841(a)(1) Possession with Intent to Distribute Controlled Substances)

On or about February 24, 2018, in the Southern District of Indiana, DERRICK OWENS, defendant herein, knowingly and intentionally possessed with the intent to distribute 50 grams or more of methamphetamine (actual), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Count Six

(18 U.S.C. 1958, Conspiracy to Use Interstate Commerce in the Commission of Murder-for-Hire)

Beginning at a date unknown to the grand jury in 2018, continuing until on or about March 2, 2018, in the Southern District of Indiana and elsewhere, defendants PIERRE RILEY, REGGIE BALENTINE a/k/a Pudge, and MICHAEL O'BANNON a/k/a Lunchy, did knowingly conspire to cause one or more individuals to travel in interstate commerce from the State of Georgia to Kokomo, Indiana, with intent that a murder be committed in violation of the laws of the State of Indiana as consideration for the receipt of, and as consideration for a promise and agreement to pay, United States currency, all in violation of Title 18, United States Code, Section 1958.

Count Seven

(18 U.S.C. 922(g)(1) Felon in Possession of a Firearm)

On or about March 8, 2018, in the Southern District of Indiana, PERRY JONES, defendant herein, having been convicted of a crime punishable by imprisonment for a term exceeding one year (to wit: felony Dealing in Cocaine or Narcotic Drug, Howard County, Indiana, Cause Number 34CO19311CF00078) did knowingly possess in and affecting interstate or foreign commerce a firearm, that is, a black Springfield Armory XD40 handgun, and/or a black Taurus PT11G 9mm handgun, in violation of Title 18, United States Code, Section 922(g)(1).

Count Eight

(18 U.S.C. 922(g)(1) Felon in Possession of a Firearm)

From on or about March 8, 2018 through on or about March 11, 2018, in the Southern District of Indiana, REGGIE BALENTINE a/k/a Pudge, defendant herein, having been convicted of a crime

punishable by imprisonment for a term exceeding one year (to wit: felony Conspiracy/Dealing in Cocaine or Narcotic Drug, Howard County, Indiana, Cause Number 34D01-0912-FA-01146; felony Assisting a Criminal, Howard County, Indiana, Cause Number 34D01-0911-MR-01001; felony Dealing in Cocaine or Narcotic Drug, Howard County, Indiana, Cause Number 34C01-9611-CF-00072; felony Obstruction of Justice, Howard County, Indiana, Cause Number 34D04-0911-FC-00165), did knowingly possess in and affecting interstate or foreign commerce a firearm, that is, a black Springfield Armory XD40 handgun, and/or a black Taurus PT11G 9mm handgun, in violation of Title 18, United States Code, Section 922(g)(1).

Count Nine

(18 U.S.C. 922(g)(1) Felon in Possession of a Firearm)

On or about March 11, 2018, in the Southern District of Indiana, JASON REED a/k/a Jamon a/k/a Jasil, defendant herein, having been convicted of a crime punishable by imprisonment for a term exceeding one year (to wit: felony Conspiracy to Possess with the Intent to Distribute Cocaine Base, Southern District of Illinois, Cause Number 4:97-CR-40071-01; felony Resisting Law Enforcement, Howard County, Indiana, Cause Number 34D02-0310-FB-00396; felony Possession of Cocaine or Narcotic Drug, Howard County, Indiana, Cause Number 34D01-0701-MR-00040), did knowingly possess in and affecting interstate or foreign commerce a firearm, that is, a black Springfield Armory XD40 handgun, and/or a black Taurus PT11G 9mm handgun, in violation of Title 18, United States Code, Section 922(g)(1).

Count Ten

(18 U.S.C. 922(g)(3) User of Controlled Substances in Possession of a Firearm)

On or about May 1, 2018, in the Southern District of Indiana, BRADLEY CLARK, defendant herein, then being an illegal user of a controlled substance as defined by Title 21, United States Code, Section 802, did knowingly possess in and affecting interstate or foreign commerce a firearm, that is, a Jiminez .380 caliber handgun, a Ruger .45 caliber handgun, a Hi-Point 9 mm handgun, a Rossi 32 caliber Smith & Wesson revolver, a Rossi .357 caliber revolver, and/or a Hi-Point 9 mm handgun, in violation of Title 18, United States Code, Section 922(g)(3).

Count Eleven

(21 U.S.C. 841(a)(1)-Possession with Intent to Distribute Controlled Substances)

On or about May 1, 2018, in the Southern District of Indiana, ANTWON ABBOTT, defendant herein, did knowingly and intentionally possess with the intent to distribute 5 grams or more of methamphetamine (actual), a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

Count Twelve

(21 U.S.C. 841(a)(1)-Possession with Intent to Distribute Controlled Substances)

On or about May 1, 2018, in the Southern District of Indiana, MICHAEL O'BANNON, defendant herein, did knowingly and intentionally possess with the intent to distribute 5 grams or more of methamphetamine (actual), a Schedule II Controlled Substance, and a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

Count Thirteen

(18 U.S.C. 924(c)-Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about May 1, 2018, in the Southern District of Indiana, MICHAEL O'BANNON, defendant herein, did knowingly possess a firearm, that is, a Model 42 Glock .380 caliber pistol and/or a Model 27 Glock .40 caliber pistol, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, the possession with intent to distribute controlled substances on or about May 1, 2018; all in violation of Title 18, United States Code, Section 924(c)(1)(A).

Count Fourteen

(18 U.S.C. 922(g)(1)-Possession of a Firearm as a Previously Convicted Felon)

On or about May 1, 2018, in the Southern District of Indiana, MICHAEL O'BANNON, defendant herein, having been convicted of a crime punishable by imprisonment for a term exceeding one year (to wit: felony Dealing in Cocaine in Howard County, Indiana, Cause Number 34D01-0908-FA-00754, on or about June 22, 2011; and/or felony Possession of a Narcotic Drug, in Howard County, Indiana, Cause Number 34D01-1502-F6-00182, on or about July 1, 2015) did knowingly possess in and affecting interstate commerce, a firearm, that is: a Model 42 Glock .380 caliber pistol; a Model 27 Glock .40 caliber pistol; and/or a Taurus PT 1111 G2 9 millimeter pistol, in violation of Title 18, United States Code, Sections 922(g)(1).

Count Fifteen

(21 U.S.C. 841(a)(1)-Possession with Intent to Distribute Controlled Substances)

On or about May 1, 2018, in the Southern District of Indiana, MICHAEL JONES a/k/a MJ, defendant herein, did knowingly and intentionally possess with the intent to distribute 5 grams or more of

methamphetamine (actual), a Schedule II Controlled Substance, and a mixture or substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

Count Sixteen

(18 U.S.C. 924(c)-Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about May 1, 2018, in the Southern District of Indiana, MICHAEL JONES a/k/a MJ, defendant herein, did knowingly possess a firearm, that is, a Smith and Wesson Model M&P 15-22 rifle and/or a Remington Model 770 7 millimeter rifle; in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, the possession with intent to distribute controlled substances on or about May 1, 2018; all in violation of Title 18, United States Code, Section 924(c)(1)(A).

Count Seventeen

(18 U.S.C. 922(g)(1)-Possession of a Firearm as a Previously Convicted Felon)

On or about May 1, 2018, in the Southern District of Indiana, MICHAEL JONES a/k/a MJ, defendant herein, having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: felony Possession with Intent to Deliver Methamphetamine in Howard County, Indiana on or about March 28, 2007; felony Aggravated Battery in Howard County, Indiana on or about January 25, 2006; felony Possession of Cocaine in Miami County, Indiana on or about October 22, 2001; felony Battery in Howard County, Indiana on or about June 15, 2000; and/or felony Burglary in Howard County, Indiana on or about April 22, 1999; did knowingly possess in and affecting interstate commerce, a firearm, that is: a Smith and Wesson Model M&P 15-22; a Marlin, 30-30 caliber rifle; a Remington Model 770 7

millimeter rifle; and/or a Tisa Model American Tactical F59, 9 millimeter caliber pistol; in violation of Title 18, United States Code, Sections 922(g)(1) and 924(e)(1).

Count Eighteen

(21 U.S.C. 841(a)(1)-Possession with Intent to Distribute Controlled Substances)

On or about May 1, 2018, in the Southern District of Indiana, PERRY JONES, defendant herein, did knowingly and intentionally possess with the intent to distribute a mixture or substance containing a detectable amount of heroin, a Schedule I Controlled Substance, and a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

Count Nineteen

(18 U.S.C. 924(c)-Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about May 1, 2018, in the Southern District of Indiana, PERRY JONES, defendant herein, did knowingly possess a firearm, that is, a Ruger Model P345 .45 caliber pistol, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, the possession with intent to distribute controlled substances on or about May 1, 2018; all in violation of Title 18, United States Code, Section 924(c)(1)(A).

Count Twenty

(18 U.S.C. 922(g)(1)-Possession of a Firearm as a Previously Convicted Felon)

On or about May 1, 2018, in the Southern District of Indiana, PERRY JONES, defendant herein, having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit:

felony Possession of Cocaine in Miami County, Indiana on or about October 22, 2001; and/or felony Possession with Intent to Deliver Methamphetamine, in Howard County, Indiana on or about March 28, 2007; did knowingly possess in and affecting interstate commerce, a firearm, that is, a Ruger Model P345 .45 caliber pistol, in violation of Title 18, United States Code, Sections 922(g)(1).

Count Twenty One

(21 U.S.C. 841(a)(1)-Possession with Intent to Distribute Controlled Substances)

On or about May 1, 2018, in the Southern District of Indiana, REGGIE BALENTINE a/k/a Pudge and Kristin KINNEY a/k/a Cupcake, defendants herein, did knowingly and intentionally possess with the intent to distribute a mixture or substance containing 50 grams or more of methamphetamine (actual), a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

Count Twenty Two

(18 U.S.C. 1956(h)-Conspiracy to Launder Monetary Instruments)

From on or about May 10, 2016 through May 1, 2018, the exact dates being unknown to the Grand Jury, in the Southern District of Indiana and elsewhere, KRISTIN KINNEY a/k/a Cupcake and PIERRE RILEY, defendants herein, did knowingly conspire together and with diverse other persons known and unknown to the Grand Jury to commit offenses in violation of Title 18, United States Code, Section 1956, to wit: to knowingly conduct and attempt to conduct financial transactions affecting interstate commerce (including, but not limited to, repeated purchase of money orders and cashier's checks with U.S. Currency, and multiple bank transactions involving U.S. Currency); which financial transactions constituted proceeds of a specified unlawful activity, that is, the distribution of controlled substances in violation of Title 21, United States Code, Section 841; knowing that the transactions were designed in whole or in part

to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity; and that while conducting and attempting to conduct such financial transactions, knew that the property involved in the financial transactions represented the proceeds of some form of unlawful activity; in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

All in violation of Title 18, United States Code, Section 1956(h).

FORFEITURE

1. Pursuant to Title 21, United States Code, Section 853, if convicted of any of the offenses set forth in Counts One through Five, or Counts Eleven, Twelve, Fifteen, and Twenty One of the Third Superseding Indictment, the defendants shall forfeit to the United States any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the offenses, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses.

2. The United States shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), and as incorporated by Title 28, United States Code, Section 2461(c), if any of the property described above in paragraph 1, 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.

3. Pursuant to Title 18, United States Code, Section 924(d), if convicted of the offenses set forth in Counts Seven through Ten, or Thirteen, Fourteen, Sixteen, Seventeen, Nineteen, or Twenty of this

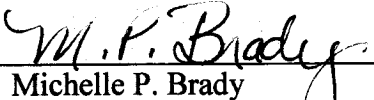
Third Superseding Indictment, the defendants shall forfeit to the United States “any firearm or ammunition involved in” the offense.

A TRUE BILL:



FOREPERSON

JOSH J. MINKLER
United States Attorney

By: 
Michelle P. Brady
Assistant United States Attorney