

1 Presented to the Court by the foreman of the
2 Grand Jury in open Court, in the presence of
3 the Grand Jury and FILED in The U.S.
4 DISTRICT COURT at Seattle, Washington.

5 *January 8, 2009*
6 *BRUCE RIFKIN, Clerk*
7 *By [Signature] Deputy*

Chief Judge Lasnik



08-CR-00245-INDI

8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 DEVAUGHN DORSEY,
15 AKA: "Buster,"
16 ANGELINA GONZALES,

17 Defendants.

NO. CR08-245RSL

SECOND SUPERSEDING
INDICTMENT

18 The Grand Jury charges that:

19 **Count One**
20 **(Conspiracy to Traffic in Motor Vehicles or Motor Vehicle Parts)**

21 **A. The Agreement**

22 At an exact time unknown, but beginning in the past five years and continuing
23 until on or about May 22, 2008, in King County, within the Western District of
24 Washington and elsewhere, DEVAUGHN DORSEY, aka "Buster," together with
25 William Fomby, Arthur Wilcher, ANGELINA GONZALES, Paul Dervin, and Charles
26 Theodore Graf, and others known and unknown, did knowingly and willfully conspire,
27 combine, confederate and agree to commit the crime of Trafficking in Motor Vehicles or
28 Motor Vehicle Parts, in violation of Title 18, United States Code, Section 2321(a).

1 **B. The Purpose of the Conspiracy**

2 The purpose of the conspiracy was to obtain stolen motor vehicles, to alter, tamper
3 with, and/or remove the vehicle identification numbers (VINs) from the stolen vehicles,
4 and then sell or otherwise dispose of the stolen motor vehicles.

5 **C. Manner and Means of the Conspiracy**

6 The defendants used the following means and acted in the following manner,
7 among others, to effect the conspiracy:

8 1. It was a part of the conspiracy to steal, receive, or possess stolen
9 motor vehicles.

10 2. It was further a part of the conspiracy to remove, obliterate, tamper
11 with, or alter the stolen motor vehicles' VINs.

12 3. It was further a part of the conspiracy to sell or otherwise dispose of
13 the stolen motor vehicles.

14 4. It was further part of the conspiracy to attempt to prevent potential
15 witnesses from testifying through intimidation and acts of violence directed against the
16 witnesses and their family members.

17 **D. Overt Acts**

18 In furtherance of the conspiracy and to effect the objects thereof, the defendants
19 committed the following overt acts within the Western District of Washington:

20 1. After July 25, 2007, DEVAUGHN DORSEY traveled to Oregon and
21 stole VIN plates from motor vehicles which were being stored in wrecking yards in
22 Oregon.

23 2. Between July 25, 2007 and March 20, 2008, DEVAUGHN
24 DORSEY, aka "Buster" switched the identification number on a 2007 white Chrysler
25 Pacifica.

26 3. On or about September 1, 2007, DEVAUGHN DORSEY, aka
27 "Buster," and ANGELINA GONZALES, together with others, aided and abetted the theft
28 of a 2007 red Dodge Charger from the Fugate Ford dealership in Enumclaw by removing

1 the keys for the vehicle from Fugate Ford. An unknown coconspirator then used the keys
2 to steal the Charger from the Fugate Ford dealership.

3 4. Between July 25, 2007 and February 20, 2008, DEVAUGHN
4 DORSEY, aka "Buster" transferred a stolen grey 2005 Lincoln Aviator to another person,
5 identified as V.E.

6 5. On or about October 17, 2007, Arthur Wilcher, together with others,
7 aided and abetted the theft of a 2005 black GMC Yukon from the Friendly Chevrolet
8 dealership in Puyallup by removing the keys for the vehicle from Friendly Chevrolet. An
9 unknown coconspirator then used the keys to steal the Yukon from the Friendly Chevrolet
10 dealership.

11 6. In or about December 2007, DEVAUGHN DORSEY, aka
12 "Buster," together with others, stole a 2005 Chevrolet Suburban from Car Mart in
13 Marysville.

14 7. On or about December 23, 2007, DEVAUGHN DORSEY, aka
15 "Buster" aided and abetted the theft of a 2004 black Ford F250 Harley-Davidson pick-up
16 truck from Good Chevrolet in Renton.

17 8. On or about December 24, 2007, DEVAUGHN DORSEY, aka
18 "Buster," together with others, aided and abetted the theft of a 2007 red Dodge Charger
19 from the Bill Pierre dealership in Seattle by removing the keys for the vehicle from Bill
20 Pierre. An unknown coconspirator then used the keys to steal the Charger from the Bill
21 Pierre dealership.

22 9. On or about January 8, 2008, DEVAUGHN DORSEY, aka "Buster,"
23 stole a 1957 Chevrolet Impala from a car lot in Auburn.

24 10. Between July 25, 2007 and May 2008, DEVAUGHN DORSEY and
25 Charles Theodore Graf removed and replaced the windshields on several stolen motor
26 vehicles, to permit the replacement of VIN plates on the dashboards of these vehicles.

27 11. Between July 25, 2007 and June 6, 2008, DEVAUGHN DORSEY
28 aka "Buster" transferred a black 2006 Chrysler 300 to another person, identified as D.A.

1 12. On or about January 13, 2008, DEVAUGHN DORSEY, aka
2 "Buster," and William Fomby, together with others, aided and abetted the theft of a 2005
3 blue/gray Cadillac Deville from Tacoma Dodge by removing the keys for the vehicle
4 from Tacoma Dodge. An unknown coconspirator then used the keys to steal the Deville
5 from the Tacoma Dodge dealership.

6 13. Between July 25, 2007 and March 16, 2008, DEVAUGHN
7 DORSEY, aka "Buster" transferred a stolen silver 2004 Chevrolet Tahoe to another
8 person, identified as W.H.

9 14. Between July 25, 2007 and March 30, 2008, DEVAUGHN
10 DORSEY, aka "Buster" transferred a black 2007 Buick Lucerne to another person,
11 identified as D.B.

12 15. Between July 25, 2007 and June 3, 2008, DEVAUGHN DORSEY
13 aka "'Buster" aided and abetted the titling of a silver 2004 Chevrolet Tahoe in the name
14 V.E.

15 16. On or about March 14, 2008, Paul Dervin provided
16 DEVAUGHN DORSEY with money supplied by a customer to purchase a stolen 2005
17 gray GMC Yukon.

18 17. Between July 25, 2007 and June 11, 2008, DEVAUGHN DORSEY
19 aka "Buster" transferred a black 2008 Ford Mustang to another person, identified as D.T.

20 18. On or about January 9, 2008, DEVAUGHN DORSEY, aka "Buster,"
21 aided and abetted the theft of a 2005 red Chevrolet Monte Carlo.

22 19. Between July 25, 2007 and August 13, 2008, DEVAUGHN
23 DORSEY, aka "Buster" possessed a stolen 2002 red Chevrolet Monte Carlo.

24 20. On or about May 22, 2008, DEVAUGHN DORSEY, aka "Buster"
25 possessed an Abandoned Vehicle Report for a stolen 2008 Volkswagon Jetta.

26 21. On or about April 29, 2008, DEVAUGHN DORSEY, aka "Buster"
27 provided Washington State Department of Licensing title documents to another person,
28 identified as N.C., related to a 2005 black Dodge Magnum.

1 22. On or about May 13, 2008, DEVAUGHN DORSEY did shoot, and
2 did aid and abet and otherwise facilitate the shooting of, government witness M.F. and
3 her son, C.A., with a firearm.

4 All in violation of Title 18, United States Code, Section 371.

5 **Count Two**
6 **(Operating a Chop Shop)**

7 At an exact time unknown, but beginning in the past five years and continuing
8 until on or about May 22, 2008, in King County, within the Western District of
9 Washington, DEVAUGHN DORSEY, aka "Buster," did knowingly operate, maintain,
10 and control a chop shop, and conducted operations in a chop shop, located at 6500 Martin
11 Luther King, Jr. Way, in Seattle.

12 The Grand Jury alleges that this offense was committed during and in furtherance
13 of the conspiracy charged in Count One above.

14 All in violation of Title 18, United States Code, Sections 2322(a)(1) and (b).

15 **Count Three**
16 **(Operating a Chop Shop)**

17 At an exact time unknown, but beginning in the past five years and continuing
18 until on or about May 22, 2008, in King County, within the Western District of
19 Washington, DEVAUGHN DORSEY, aka "Buster," did knowingly operate, maintain,
20 and control a chop shop, and conducted operations in a chop shop, in a garage at an
21 apartment complex located at 7535-24th Avenue S.W., in Seattle.

22 The Grand Jury alleges that this offense was committed during and in furtherance
23 of the conspiracy charged in Count One above.

24 All in violation of Title 18, United States Code, Sections 2322(a)(1) and (b).

25 **Count Four**
26 **(Trafficking in Motor Vehicles)**

27 At an exact time unknown, but between approximately August 14, 2007, and
28 March 17, 2008, within the Western District of Washington, DEVAUGHN DORSEY,
aka "Buster," did buy, receive, possess, and obtain control of, and did aid and abet the
buying, receiving, possessing, and obtaining control of, with the intent to sell or otherwise

1 dispose of, a motor vehicle, to wit: a 2007 white Dodge Charger, knowing that the
2 identification number for such motor vehicle had been removed, obliterated, tampered
3 with, and altered.

4 The Grand Jury alleges that this offense was committed during and in furtherance
5 of the conspiracy charged in Count One above.

6 All in violation of Title 18, United States Code, Sections 2321(a) and 2.

7 **Count Five**
8 **(Trafficking in Motor Vehicles)**

9 At an exact time unknown, but between approximately August 15, 2007, and
10 March 20, 2008, within the Western District of Washington, DEVAUGHN DORSEY,
11 aka "Buster," did buy, receive, possess, and obtain control of, and did aid and abet the
12 buying, receiving, possessing, and obtaining control of, with the intent to sell or otherwise
13 dispose of, a motor vehicle, to wit: a 2007 white Chrysler Pacifica, knowing that the
14 identification number for such motor vehicle had been removed, obliterated, tampered
15 with, and altered.

16 The Grand Jury alleges that this offense was committed during and in furtherance
17 of the conspiracy charged in Count One above.

18 All in violation of Title 18, United States Code, Sections 2321(a) and 2.

19 **Count Six**
20 **(Trafficking in Motor Vehicles)**

21 At an exact time unknown, but between approximately August 23, 2007, and June
22 17, 2008, within the Western District of Washington, DEVAUGHN DORSEY, aka
23 "Buster," did buy, receive, possess, and obtain control of, and did aid and abet the buying,
24 receiving, possessing, and obtaining control of, with the intent to sell or otherwise dispose
25 of, a motor vehicle, to wit: a 2004 silver Chevrolet Tahoe, knowing that the identification
26 number for such motor vehicle had been removed, obliterated, tampered with, and altered.

27 The Grand Jury alleges that this offense was committed during and in furtherance
28 of the conspiracy charged in Count One above.

1 All in violation of Title 18, United States Code, Sections 2321(a) and 2.

2 **Count Seven**
3 **(Trafficking in Motor Vehicles)**

4 At an exact time unknown, but between approximately September 3, 2007, and
5 May 16, 2008, within the Western District of Washington, DEVAUGHN DORSEY, aka
6 "Buster," did buy, receive, possess, and obtain control of, and did aid and abet the buying,
7 receiving, possessing, and obtaining control of, with the intent to sell or otherwise dispose
8 of, a motor vehicle, to wit: a 2006 red Dodge Charger, knowing that the identification
9 number for such motor vehicle had been removed, obliterated, tampered with, and altered.

10 The Grand Jury alleges that this offense was committed during and in furtherance
11 of the conspiracy charged in Count One above.

12 All in violation of Title 18, United States Code, Sections 2321(a) and 2.

13 **Count Eight**
14 **(Trafficking in Motor Vehicles)**

15 At an exact time unknown, but between approximately September 28, 2007, and
16 February 20, 2008, within the Western District of Washington, DEVAUGHN DORSEY,
17 aka "Buster," did buy, receive, possess, and obtain control of, and did aid and abet the
18 buying, receiving, possessing, and obtaining control of, with the intent to sell or otherwise
19 dispose of, a motor vehicle, to wit: a 2005 gray Lincoln Aviator, knowing that the
20 identification number for such motor vehicle had been removed, obliterated, tampered
21 with, and altered.

22 The Grand Jury further alleges that this offense was committed during and in
23 furtherance of the conspiracy charged in Count One above.

24 All in violation of Title 18, United States Code, Sections 2321(a) and 2.

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27 //

Count Nine
(Trafficking in Motor Vehicles)

At an exact time unknown, but between approximately November 24, 2007, and February 20, 2008, within the Western District of Washington, DEVAUGHN DORSEY, aka "Buster," did buy, receive, possess, and obtain control of, and did aid and abet the buying, receiving, possessing, and obtaining control of, with the intent to sell or otherwise dispose of, a motor vehicle, to wit: a 2007 red Dodge Magnum station wagon, knowing that the identification number for such motor vehicle had been removed, obliterated, tampered with, and altered.

The Grand Jury further alleges that this offense was committed during and in furtherance of the conspiracy charged in Count One above.

All in violation of Title 18, United States Code, Sections 2321(a) and 2.

Count Ten
(Trafficking in Motor Vehicles)

At an exact time unknown, but between approximately December 1, 2007, and June 17, 2008, within the Western District of Washington, DEVAUGHN DORSEY, aka "Buster," did buy, receive, possess, and obtain control of, and did aid and abet the buying, receiving, possessing, and obtaining control of, with the intent to sell or otherwise dispose of, a motor vehicle, to wit: a 2007 gray Buick Lucerne, knowing that the identification number for such motor vehicle had been removed, obliterated, tampered with, and altered.

The Grand Jury further alleges that this offense was committed during and in furtherance of the conspiracy charged in Count One above.

All in violation of Title 18, United States Code, Sections 2321(a) and 2.

Count Eleven
(Trafficking in Motor Vehicles)

At an exact time unknown, but between approximately January 9, 2008, and March 20, 2008, within the Western District of Washington, DEVAUGHN DORSEY, aka "Buster," did buy, receive, possess, and obtain control of, and did aid and abet the buying, receiving, possessing, and obtaining control of, with the intent to sell or otherwise dispose of, a motor vehicle, to wit: a 2007 silver Dodge Charger, knowing that the

1 identification number for such motor vehicle had been removed, obliterated, tampered
2 with, and altered.

3 The Grand Jury alleges that this offense was committed during and in furtherance
4 of the conspiracy charged in Count One above.

5 All in violation of Title 18, United States Code, Sections 2321(a) and 2.

6
7 **Count Twelve**
(Trafficking in Motor Vehicles)

8 At an exact time unknown, but between approximately January 13, 2008, and
9 January 14, 2008, within the Western District of Washington, DEVAUGHN DORSEY,
10 aka "Buster," did buy, receive, possess, and obtain control of, and did aid and abet the
11 buying, receiving, possessing, and obtaining control of, with the intent to sell or otherwise
12 dispose of, a motor vehicle, to wit: a 2005 blue/gray Cadillac Deville, knowing that the
13 identification number for such motor vehicle had been removed, obliterated, tampered
14 with, and altered.

15 The Grand Jury alleges that this offense was committed during and in furtherance
16 of the conspiracy charged in Count One above.

17 All in violation of Title 18, United States Code, Sections 2321(a) and 2.

18
19 **Count Thirteen**
(Trafficking in Motor Vehicles)

20 At an exact time unknown, but between approximately January 14, 2008, and
21 March 14, 2008, within the Western District of Washington, DEVAUGHN DORSEY,
22 aka "Buster," did buy, receive, possess, and obtain control of, and did aid and abet the
23 buying, receiving, possessing, and obtaining control of, with the intent to sell or otherwise
24 dispose of, a motor vehicle, to wit: a 2008 black Buick Lacrosse, knowing that the
25 identification number for such motor vehicle had been removed, obliterated, tampered
26 with, and altered.

27 The Grand Jury alleges that this offense was committed during and in furtherance
28 of the conspiracy charged in Count One above.

1 All in violation of Title 18, United States Code, Sections 2321(a) and 2.

2 **Count Fourteen**
3 **(Trafficking in Motor Vehicles)**

4 At an exact time unknown, but between approximately February 12, 2008, and
5 May 28, 2008, within the Western District of Washington, DEVAUGHN DORSEY, aka
6 "Buster," did buy, receive, possess, and obtain control of, and did aid and abet the buying,
7 receiving, possessing, and obtaining control of, with the intent to sell or otherwise dispose
8 of, a motor vehicle, to wit: a 2006 black Chevrolet Suburban, knowing that the
9 identification number for such motor vehicle had been removed, obliterated, tampered
10 with, and altered.

11 The Grand Jury alleges that this offense was committed during and in furtherance
12 of the conspiracy charged in Count One above.

13 All in violation of Title 18, United States Code, Sections 2321(a) and 2.

14 **Count Fifteen**
15 **(Trafficking in Motor Vehicles)**

16 At an exact time unknown, but between approximately February 12, 2008, and
17 June 18, 2008, within the Western District of Washington, DEVAUGHN DORSEY, aka
18 "Buster," did buy, receive, possess, and obtain control of, and did aid and abet the buying,
19 receiving, possessing, and obtaining control of, with the intent to sell or otherwise dispose
20 of, a motor vehicle, to wit: a 2004 black Chevrolet Avalanche pick-up truck, knowing that
21 the identification number for such motor vehicle had been removed, obliterated, tampered
22 with, and altered.

23 The Grand Jury alleges that this offense was committed during and in furtherance
24 of the conspiracy charged in Count One above.

25 All in violation of Title 18, United States Code, Sections 2321(a) and 2.

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27 //
28

Count Sixteen
(Trafficking in Motor Vehicles)

At an exact time unknown, but between approximately February 12, 2008 and June 3, 2008, within the Western District of Washington, DEVAUGHN DORSEY, aka “Buster,” did buy, receive, possess, and obtain control of, and did aid and abet the buying, receiving, possessing, and obtaining control of, with the intent to sell or otherwise dispose of, a motor vehicle, to wit: a 2007 GMC Yukon Denali, knowing that the identification number for such motor vehicle had been removed, obliterated, tampered with, and altered.

The Grand Jury alleges that this offense was committed during and in furtherance of the conspiracy charged in Count One above.

All in violation of Title 18, United States Code, Sections 2321(a) and 2.

Count Seventeen
(Trafficking in Motor Vehicles)

At an exact time unknown, but between approximately February 21, 2008, and March 16, 2008, within the Western District of Washington, DEVAUGHN DORSEY, aka "Buster," did buy, receive, possess, and obtain control of, and did aid and abet the buying, receiving, possessing, and obtaining control of, with the intent to sell or otherwise dispose of, a motor vehicle, to wit: a 2004 silver Chevrolet Tahoe, knowing that the identification number for such motor vehicle had been removed, obliterated, tampered with, and altered.

The Grand Jury alleges that this offense was committed during and in furtherance of the conspiracy charged in Count One above.

All in violation of Title 18, United States Code, Sections 2321(a) and 2.

Count Eighteen
(Trafficking in Motor Vehicles)

At an exact time unknown, but between approximately March 4, 2008, and March 30, 2008, within the Western District of Washington, DEVAUGHN DORSEY, aka "Buster," did buy, receive, possess, and obtain control of, and did aid and abet the buying, receiving, possessing, and obtaining control of, with the intent to sell or otherwise dispose

1 of, a motor vehicle, to wit: a 2007 black Buick Lucerne, knowing that the identification
2 number for such motor vehicle had been removed, obliterated, tampered with, and altered.

3 The Grand Jury alleges that this offense was committed during and in furtherance
4 of the conspiracy charged in Count One above.

5 All in violation of Title 18, United States Code, Sections 2321(a) and 2.

6 **Count Nineteen**
7 **(Trafficking in Motor Vehicles)**

8 At an exact time unknown, but between approximately March 7, 2008 and June 3,
9 2008, within the Western District of Washington, DEVAUGHN DORSEY, aka "Buster,"
10 did buy, receive, possess, and obtain control of, and did aid and abet the buying,
11 receiving, possessing, and obtaining control of, with the intent to sell or otherwise dispose
12 of, a motor vehicle, to wit: a 2004 Chevrolet Tahoe, knowing that the identification
13 number for such motor vehicle had been removed, obliterated, tampered with, and altered.

14 The Grand Jury alleges that this offense was committed during and in furtherance
15 of the conspiracy charged in Count One above.

16 All in violation of Title 18, United States Code, Sections 2321(a) and 2.

17 **Count Twenty**
18 **(Trafficking in Motor Vehicles)**

19 At an exact time unknown, but between approximately May 20, 2008, and June 11,
20 2008, within the Western District of Washington, DEVAUGHN DORSEY, aka "Buster,"
21 did buy, receive, possess, and obtain control of, and did aid and abet the buying,
22 receiving, possessing, and obtaining control of, with the intent to sell or otherwise dispose
23 of, a motor vehicle, to wit: a 2008 black Ford Mustang, knowing that the identification
24 number for such motor vehicle had been removed, obliterated, tampered with, and altered.

25 The Grand Jury alleges that this offense was committed during and in furtherance
26 of the conspiracy charged in Count One above.

27 All in violation of Title 18, United States Code, Sections 2321(a) and 2.
28

Count Twenty-One
(Witness Tampering)

On or about May 13, 2008, within the Western District of Washington, DEVAUGHN DORSEY, aka "Buster," and connected with and constituting part of a common scheme or plan to traffic in stolen motor vehicles, did attempt to kill other persons, and did aid and abet the attempt to kill other persons, to wit: M.F. and C.A., with the intent to prevent the attendance and testimony of M.F. in an official proceeding, and did use, and did aid and abet the use of, physical force and the threat of physical force against other persons, to wit: M.F. and C.A., and did attempt to do so, with the intent to influence, delay, and prevent the testimony of M. F. in an official proceeding, and with the intent to prevent the communication by any person to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense.

It is further alleged that this offense was committed during and in furtherance of the conspiracy charged in Count One above.

All in violation of Title 18, United States Code, Sections 1512(a)(1)(A) and (C) and (a)(2)(A) and (C), and Section 2.

Count Twenty-Two
(Discharging a Firearm During and In Relation to a Crime of Violence)

On or about May 13, 2008, within the Western District of Washington, DEVAUGHN DORSEY, aka "Buster," knowingly and intentionally discharged, and did aid and abet the discharge of, a firearm, to wit: a .40 caliber handgun, of unknown model and serial number, during and in relation to a crime of violence for which he may be prosecuted in a Court of the United States, to wit: Witness Tampering, as charged in Count Twenty-One.

It is further alleged that this offense was committed during and in furtherance of the conspiracy charged in Count One above.

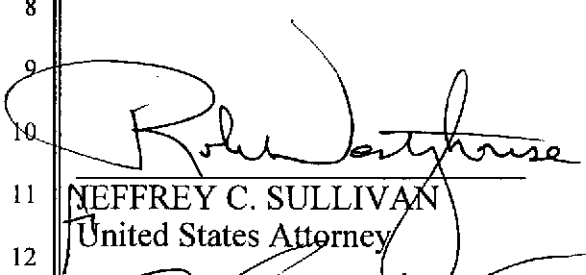
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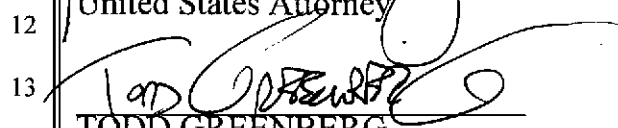
1 All in violation of Title 18, United States Code, Sections 924(c)(1)(A) and
2 Section 2.

3
4 A TRUE BILL:


5 DATED: 01-08-09

6
7 Signature of Foreperson redacted
8 pursuant to the policy of the Judicial
9 Conference
10 FOREPERSON

11 
12 NEFFREY C. SULLIVAN
13 United States Attorney

14 
15 TODD GREENBERG
16 Assistant United States Attorney

17 
18 MIKE LANG
19 Assistant United States Attorney

20 
21 JILL OTAKE
22 Assistant United States Attorney
23
24
25
26
27
28