

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,) No. _____
)
Plaintiff,)
) **COUNT ONE: All Defendants**
) 21 U.S.C. §§ 841(a)(1)(b)(1)(A) and 846
v.) NLT: 10 Years and NMT Life Imprisonment
) NMT \$4,000,000 Fine
JAMES ROBERT EVERSON, JR.,) NLT: 5 Years Supervised Release
a/k/a "Bimbo") Class A Felony
[DOB: 06-28-1967],)
) **COUNT TWO: All Defendants**
SHAWN ANTHONY CLINKENBEARD,) 21 U.S.C. §§ 841(c)(1) and (2) and 846
[DOB: 10-07-1971],) NMT 20 years imprisonment
) NMT \$250,000 Fine
MICAH LEE BOLEY,) NMT: 3 Years Supervised Release
[DOB: 04-07-1961],) Class C Felony
)
JOHN ROBERT CHRISTIAN,) **COUNT THREE: Everson and Clinkenbeard**
[DOB: 12-20-1983],) 21 U.S.C. §§ 841(c)(1)
) NMT 20 years imprisonment
DAVID DOUGLAS MARGITA,) NMT \$250,000 Fine
[DOB: 10-06-1980],) NMT: 3 Years Supervised Release
) Class C Felony
EUGENE EDWARD DOVE,)
[DOB: 11-13-1966],) **COUNT FOUR: Everson only**
) 21 U.S.C. §§ 841(c)(1) and (2) and 846
ROGER WILLIAM WEBB,) NMT 20 years imprisonment
a/k/a "Butch") NMT \$250,000 Fine
[DOB: 01-19-1947],) NMT: 3 Years Supervised Release
) Class C Felony
CLAIR JOHN EASTERBROOK, Jr.)
a/k/a "Homie") **COUNT FIVE: Everson only**
[DOB: 05-28-1963],) 18 U.S.C. § 1201(c)
) NMT Life Imprisonment
JIMMY WAYNE O'NEAL,) NMT \$250,000 Fine
[DOB: 03-26-1973]) NMT: 5 Years Supervised Release
) Class A Felony
Defendants.)
) **COUNT SIX: Everson only**
) 18 U.S.C. § 1201(a)(1)
) NMT Life Imprisonment
) NMT \$250,000 Fine
) NMT: 5 Years Supervised Release
) Class A Felony
)
)

COUNT SEVEN: Everson only
18 U.S.C. § 1956 (a)(1)(B)(i) and (h)
NMT 20 Years Imprisonment
NMT \$500,000 Fine
NMT 3 Years of Supervised Release
Class C Felony

COUNT EIGHT: Everson only
18 U.S.C. § 924 (c)(1)(A)(ii) and 18 U.S.C. § 2
NLT 7 Years Imprisonment
NMT \$250,000 Fine
NMT 3 Years Supervised Release
Class D Felony

COUNT NINE: Everson only
18 U.S.C. §1951 (a) and 18 U.S.C. § 2
NMT 20 Years Imprisonment
NMT \$250,000 Fine
NMT 3 Years Supervised Release
Class C Felony

Allegations of Criminal Forfeiture
21 U.S.C. §853

\$100 Special Assessment for Counts 1 - 9

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE

That on or between June 1, 2006, and May 2, 2009, the exact dates unknown to the Grand Jury, in the Western District of Missouri and other places, James Robert Everson, Jr., aka “Bimbo”, Shawn Anthony Clinkenbeard, Micah Lee Boley, John Robert Christian, David Douglas Margita, Eugene Edward Dove, Roger William Webb, aka “Butch”, Clair John Easterbrook, Jr., aka “Homie,” and Jimmy Wayne O’Neal, defendants herein, did knowingly and intentionally combine, conspire, confederate and agree with each other and others, both known and unknown to the grand jury, to manufacture and distribute a mixture or substance containing a

detectable amount of methamphetamine, a Schedule II controlled substance, in an amount of five-hundred (500) grams or more, contrary to the provisions of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A), all in violation of Title 21, United States Code, Section 846.

COUNT TWO

_____ That on or between June 1, 2006, and May 2, 2009, the exact dates unknown to the Grand Jury, in the Western District of Missouri and other places, James Robert Everson, Jr., a/k/a “Bimbo”, Shawn Anthony Clinkenbeard, Micah Lee Boley, John Robert Christian, David Douglas Margita, Eugene Edward Dove, Roger William Webb, a/k/a “Butch”, and Clair John Easterbrook, Jr., a/k/a “Homie,” and Jimmy Wayne O’Neal, defendants herein, did knowingly and intentionally combine, conspire, confederate and agree with each other and others, both known and unknown to the grand jury, to possess a listed chemical, pseudoephedrine, with the intent to manufacture a controlled substance and possess and distribute a listed chemical, pseudoephedrine, knowing, or having reasonable cause to believe, that the listed chemical, pseudoephedrine, would be used to manufacture a controlled substance, contrary to the provisions of Title 21, United States Code, Section 841(c)(1) and (2), all in violation of Title 21, United States Code, Section 846.

COUNT THREE

That on or about February 4, 2007, in the Western District of Missouri, James Robert Everson, Jr., a/k/a “Bimbo” and Shawn Anthony Clinkenbeard, defendants herein, did knowingly and intentionally possess a listed chemical, pseudoephedrine, with the intent to manufacture a controlled substance contrary to the provisions of Title 21, United States Code, Section 841(c)(1)._____

COUNT FOUR

_____ That on or about February 4, 2007, in the Western District of Missouri, James Robert Everson, Jr., a/k/a “Bimbo” defendant herein, did knowingly and intentionally attempt to possess a listed chemical, pseudoephedrine, with the intent to manufacture a controlled substance and attempt to possess and distribute a listed chemical, pseudoephedrine, knowing, or having reasonable cause to believe, that the listed chemical, pseudoephedrine, would be used to manufacture a controlled substance, contrary to the provisions of Title 21, United States Code, Section 841(c)(1) and (2), all in violation of Title 21, United States Code, Section 846.

COUNT FIVE

_____ That on or between June 1, 2006, and February 5, 2007, the exact dates unknown to the Grand Jury, in the Western District of Missouri and other places, James Robert Everson, Jr., a/k/a “Bimbo,” defendant herein, did knowingly and intentionally combine, conspire, confederate and agree with others, both known and unknown to the grand jury, to unlawfully seize, confine, decoy, kidnap, abduct and carry away and hold for ransom or otherwise a person and traveled in interstate commerce in committing and in furtherance of the kidnaping, all as demonstrated by any of the following overt acts, among other overt acts: restraining a Sanofi-Aventis guard at gunpoint; handcuffing said guard; taking said guard’s cellular telephone, taking said guard’s facility key card, attempt to luring said guard to another location in the facility, secreting oneself in the facility at least overnight; surreptitious entries onto and into the facility grounds and the facility itself; theft of a facility vehicle to remove material from the facility, and; moving material within the facility to a place of removal, all contrary to the provisions of Title 18, United States Code, Section 1201 (a)(1), all in violation of Title 18, United States Code, Section 1201 (c).

COUNT SIX

_____ That on or about February 4, 2007, in the Western District of Missouri, James Robert Everson, Jr., a.k.a. "Bimbo", defendant herein, did knowingly, intentionally and unlawfully seize, confine, decoy, kidnap, abduct and carry away and hold for ransom or otherwise a person and traveled in interstate commerce in committing and in furtherance of the kidnaping, all contrary to the provisions of Title 18, United States Code, Section 1201 (a)(1).

COUNT SEVEN

_____ On or between February 4, 2007 and May 2, 2009, in the Western District of Missouri, and other places, James Robert Everson, Jr., a.k.a. "Bimbo", defendant herein, and others, combined, conspired, confederated and agreed with each other and others, both known and unknown to the Grand Jury, knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, to conduct financial transactions which financial transactions in fact involved the proceeds of a specified unlawful activity, counts one through six above, knowing that the transaction is designed in whole or part to conceal or disguise the nature, location, source, ownership and control of the proceeds of specified unlawful activity, to wit: Everson bought and used money orders in increments below \$10,000.00, paid for various items and bought assets all with proceeds from the sale and use of stolen pseudoephedrine; all in violation of Title 18, United States Code, Sections 1956 (a)(1)(B)(i) & (ii) and section (h).

COUNT EIGHT

That on or about February 4, 2007, in the Western District of Missouri, James Robert Everson, Jr., a.k.a. "Bimbo," defendant herein, during or in relation to a crime of violence and in furtherance of a drug trafficking crime for which He may be prosecuted in a court of the United

States, that is, those crimes set out in Counts 1,2,3,4,5,6, and 9 of this indictment, all allegations of which are incorporated herein by reference, possessed and brandished a firearm, to wit: a Glock-like polymer frame semi-automatic handgun, all contrary to the provisions of Title 18, United States Code, Section 924(c)(1)(A)(I) and Title 18 U.S.C. § 2.

COUNT NINE

_____ That on or about February 4, 2007, in the Western District of Missouri, James Robert Everson, Jr., a.k.a. “Bimbo,” defendant herein, obstructed, delayed and affected interstate commerce and the movement of any article or commodity in commerce in some way or degree by robbery and attempted robbery and conspiracy to commit robbery and threatened physical violence to another in furtherance of a purpose to commit robbery, all in violation of Title 18, United States Code, Section 1951 (a) and Title 18 USC § 2.

CRIMINAL FORFEITURE ALLEGATION

The allegations contained in Counts 1, 2 and 7 of this Indictment are re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of Title 21, United States Code, Sections 853(a)(1), 853(a)(2) and 853(p) and Title 18, United States Code, Section 982(a)(1) and Rule 32.2(a).

As a result of the commission of the violations charged in Counts 1 through 9 of this Indictment, James Robert Everson, Jr., a/k/a “Bimbo,” and Micah Lee Boley, defendants herein, shall forfeit to the United States, pursuant to 21 USC Section 853, any and all property constituting or derived from any proceeds that the defendants obtained directly or indirectly as a result of the violations charged in Counts 1, 2 and 7, 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 violations alleged in Counts 1, 2 and 7 of this indictment, including but not limited to the following:

REAL PROPERTY

All lots or parcels of land, together with their buildings, appurtenances, improvements, fixtures, attachments and easements, at the addresses listed and described below:

1. **8504 Rowland Avenue, Kansas City, Kansas**

Lot 2, ROWLAND HEIGHTS, a subdivision in Wyandotte County, Kansas.
Owner of record-James R. Everson, Jr.

2. **“Florida Beach”, Camden County, Missouri**

Real property in the County of Camden, State of Missouri, described as Lots-18,18A,19,19A and five feet between lots 18 and 19 Block 1. Lots-1,1A,2,2A,3,3A,4,4A and five feet between lots 2 and 3A, Block 4, and on Block 5 Lot No. 4. Lots-3,3A,4A,5,5A,6,6A,7,7A,8,8A,9,9A, Block 5 Amended Plat of FLORIDA BEACH UNIT No. 1 According to the PLAT recorded in the office of the Camden County, Missouri recorder. Owners of record-James R. Everson, Jr. and Ginger I. Barnes.

3. **“Survey Tract”, Ivy Bend, Morgan County, Missouri**

Two contiguous tracts of land in Morgan County, Missouri described as follows:

Beginning at a point 830.89 feet south of and 1731.31 feet west of the northeast corner of the northwest quarter of Section 25, in Township 40 north of range 19 west of the fifth principal meridian, Morgan County, Missouri, said point being in the centerline of Lake Road 135-12; thence south 54' 15' 54" west, along said centerline, 173.85 feet to the point of the beginning; thence leaving said centerline, north 22' 34' 09" west, 250.0 feet, more or less, to the shoreline of the Lake of the Ozarks; thence in a northeasterly direction along said shoreline, 55.0 feet, more or less; thence leaving said shoreline, south 41' 17' 20" east, 284.0 feet, more or less, to the point of the beginning. Owner of record-Chad Blecke.

4. **Devil’s Chair Back Tract,” Ivy Bend, Morgan County, Missouri**

Beginning at a point 830.89 feet south of and 1731.31 feet west of the northeast corner of the northwest quarter of Section 25, in Township 40 north of range 19 west of the fifth principal meridian, Morgan County, Missouri, said point being in the centerline of Lake Road 135-12; thence south 54' 15' 54" west, along said centerline, 173.85 feet, thence leaving said centerline north 41' 17' 20" west, 264.0 feet, more or less, to the shoreline of the Lake of the Ozarks; thence in a northerly and northeasterly direction along said shoreline 231.0 feet, more or less, to a point of 50.0 feet west of the west line of Lot 1 in Eagle Rock to Ivy Bend, Morgan

County, Missouri, as measured at right angles to said west line; thence in a southeasterly direction parallel with and 50.0 feet west of said west line, 175.0 feet, more or less; thence in a northeasterly direction, 50.0 feet, more or less, to the southwest corner of said Lot 1, thence south 24' 43' east, 20.0 feet to the northerly corner of a well lot as shown on said Eagle Rock plat; thence south 08' 58' west, along the westerly line of said well lot, 18.03 feet to the southwest corner of said well lot; thence north 65' 17' east, along the southerly line of said well lot, 10.0 feet to the southeast corner of said well lot; thence south 24' 43' east, 59.91 feet to the point of beginning. Owner of record-Chad Blecke.

CURRENCY AND FINANCIAL INSTRUMENTS

1. \$2,490.00 U. S. Currency seized from James R. Everson, Jr.'s 2003 Ford Explorer on May 1, 2009;
2. \$10,590 U. S. Currency seized from 8504 Rowland Avenue, Kansas City, Kansas on May 1, 2009;
3. \$2,022.71 in money orders and a cashier's check seized from 8504 Rowland Avenue, Kansas City, Kansas on May 1, 2009.

PERSONAL PROPERTY

CONVEYANCES with all attachments thereon:

1. 2008 Harley Davidson MC, VIN: 1HD1JK5178Y071027;
2. 2008 Kawasaki MC, VIN: JKBZXNC128A001361.

FORFEITURE MONEY JUDGEMENT

A sum of money equal to \$1,100,000 in United States currency, representing the amount of proceeds obtained as a result of the offense alleged in Counts 1, 2 and 7.

If the above-described forfeitable property, as a result of any act or omission of the defendants,

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or

- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above-described forfeitable property, all in violation of Title 21, United States Code, Sections 841 and 853, including but not limited to the following:

1. **8504 Rowland Avenue, Kansas City, Kansas**

Lot 2, ROWLAND HEIGHTS, a subdivision in Wyandotte County, Kansas.
Owner of record-James R. Everson, Jr.

2. **“Florida Beach”, Camden County, Missouri**

Real property in the County of Camden, State of Missouri, described as Lots-18,18A,19,19A and five feet between lots 18 and 19 Block 1. Lots-1,1A,2,2A,3,3A,4,4A and five feet between lots 2 and 3A, Block 4, and on Block 5 Lot No. 4. Lots-3,3A,4A,5,5A,6,6A,7,7A,8,8A,9,9A, Block 5 Amended Plat of FLORIDA BEACH UNIT No. 1 According to the PLAT recorded in the office of the Camden County, Missouri recorder. Owners of record-James R. Everson, Jr. and Ginger I. Barnes.

3. **“Survey Tract”, Ivy Bend, Morgan County, Missouri**

Two contiguous tracts of land in Morgan County, Missouri described as follows:

Beginning at a point 830.89 feet south of and 1731.31 feet west of the northeast corner of the northwest quarter of Section 25, in Township 40 north of range 19 west of the fifth principal meridian, Morgan County, Missouri, said point being in the centerline of Lake Road 135-12; thence south 54' 15' 54" west, along said centerline, 173.85 feet to the point of the beginning; thence leaving said centerline, north 22' 34' 09" west, 250.0 feet, more or less, to the shoreline of the Lake of the Ozarks; thence in a northeasterly direction along said shoreline, 55.0 feet, more or less; thence leaving said shoreline, south 41' 17' 20" east, 284.0 feet, more or less, to the point of the beginning. Owner of record-Chad Blecke.

4. **“Devil’s Chair Back Tract”, Ivy Bend, Morgan County, Missouri**

Beginning at a point 830.89 feet south of and 1731.31 feet west of the northeast corner of the northwest quarter of Section 25, in Township 40 north of range 19 west of the fifth principal meridian, Morgan County, Missouri, said point being in

the centerline of Lake Road 135-12; thence south 54' 15' 54" west, along said centerline, 173.85 feet, thence leaving said centerline north 41' 17' 20" west, 264.0 feet, more or less, to the shoreline of the Lake of the Ozarks; thence in a northerly and northeasterly direction along said shoreline 231.0 feet, more or less, to a point of 50.0 feet west of the west line of Lot 1 in Eagle Rock to Ivy Bend, Morgan County, Missouri, as measured at right angles to said west line; thence in a southeasterly direction parallel with and 50.0 feet west of said west line, 175.0 feet, more or less; thence in a northeasterly direction, 50.0 feet, more or less, to the southwest corner of said Lot 1, thence south 24' 43' east, 20.0 feet to the northerly corner of a well lot as shown on said Eagle Rock plat; thence south 08' 58' west, along the westerly line of said well lot, 18.03 feet to the southwest corner of said well lot; thence north 65' 17' east, along the southerly line of said well lot, 10.0 feet to the southeast corner of said well lot; thence south 24' 43' east, 59.91 feet to the point of beginning. Owner of record-Chad Blecke.

5. **4524 S. Rust Rd., Grain Valley, MO 64029**

All of a tract of ground consisting of the North one-half of the following described parcel of ground, to wit: The Southeast Quarter of the Northeast Quarter of Section 27, except the North 1 acres thereof, all in Township 49, North, Range 30 West of the Fifth Principal Meridian, in Jackson County, Missouri, EXCEPT the following three tracts:

Tract I: The West 540 feet of the North Half of the following described parcel of ground: The Southeast Quarter of the Northeast Quarter of Section 27, except the North 1 acres thereof, all in Township 49, North, Range 30 West of the Fifth Principal Meridian, in Jackson County, Missouri.

Tract II: Part of the Southeast Quarter of the Northeast Quarter of Section 27, Township 49 North of the Baseline, Range 30 West of the Fifth Principal Meridian, Jackson County, Missouri, described as follows: Commencing at the Southeast Corner of the Northeast Quarter of said Section 27; Thence North 01 degrees 13' 11" East on the East Line of said Southeast Quarter, 997.92 feet to the Southeast Corner of the North 10 Acres of the Southeast Quarter of said Northeast Quarter, Thence North 88 degrees 11' 32" West on the South Line of said North 10 Acres, 510.93 feet to the East Line of the West 800 feet of the Southeast Quarter of said Northeast Quarter, and the POINT OF BEGINNING; Thence South 01 degree 21' 56" West on said East Line, 55.00 feet; Thence North 88 degrees 11' 32" West on a line 55 feet South of, and parallel with, the South Line of said North 10 Acres, 260.01 feet to a point on the Northerly prolongation of the West Line of Lot 10, "WHITNEY HILLS," a subdivision of record; Thence North 01 degree 21' 56" East on said Northerly prolongation, 55.00 feet to the South Line of said North 10 Acres; Thence South 88 degrees 11' 32" East on said South Line, 260.01 feet to the POINT OF BEGINNING.

Tract III: Commencing at the Northeast corner of Lot 78, WHITNEY HILLS SECOND PLAT, a subdivision in the City of Grain Valley, Jackson County, Missouri, according to the recorded plat thereof, thence South 01 degree 21 minutes 56 seconds West, along the East line of said Lot 78, a distance of 55.00 feet to the Point of Beginning; thence South 88 degrees 11 minutes 32 seconds East a distance of 260.01 feet; thence North 01 degrees 21 minutes 56 seconds East a distance of 55 feet; thence South 88 degrees 11 minutes 32 seconds East a distance of 78.50 feet; thence South 56 degrees 38 minutes 57 seconds West a distance of 104.18 feet; thence North 88 degrees 11 minutes 32 seconds West a distance of 252.87 feet to the East line of said Lot 78; thence North 01 degrees 21 minutes 56 seconds East, along the East line of said Lot 78, a distance of 5.00 feet to the point of beginning. Owner of Record- Micah L. Boley.

6. **216 Harris, Grain Valley, MO**

A tract of land commencing at the Northwest corner of the Northeast Quarter of the Southwest Quarter of Section 35, Township 49, Range 30 in the city of Grain Valley, Jackson County, Missouri; thence East along the North line of said Quarter Quarter Section, a distance a distance of 320.10 feet; thence South a distance of 58.00 feet; thence East a distance of 435 feet to the True Point of Beginning of this description; thence North a distance of 591.73 feet to a point on the Southerly Right-of-Way line of the Chicago, Missouri and Western Railroad Company; thence North 73 degrees 09 minutes 26 seconds East along the Southerly Right-of-Way of said railroad a distance of 745.01 feet; thence South 02 degrees 54 minutes 52 seconds East, a distance of 922.12 feet; thence West a distance of 760.26 feet; thence North a distance of 130.00 feet to the True Point of Beginning of this description,

EXCEPT: Commencing at the Northwest corner of the Northeast Quarter of the Southwest Quarter of Section 35, Township 49, Range 30 in the City of Grain Valley, Jackson County, Missouri; thence South 88 degrees 07 minutes 58 seconds East (Grid Bearing) (South 88 degrees 11 minutes 38 seconds deed, platted East) along the North line of said Quarter Quarter for a distance of 320.10 feet, thence South 1 degree 30 minutes 31 seconds West Grid Bearing (South 1 degree 27 minutes 19 seconds deed, platted South) a distance of 58 feet, thence South 88 degrees 07 minutes 58 seconds East Grid Bearing (South 88 degrees 11 minutes 38 seconds East deed, platted East) a distance of 435.00 feet to the true point of beginning of this tract; thence North 1 degree 30 minutes 31 seconds East Grid Bearing (North 1 degree 27 minutes 19 seconds East deed) for a distance of 220.00 feet; thence South 88 degrees 07 minutes 58 seconds East a distance of 200.00 feet; thence South 1 degree 30 minutes 31 seconds West a distance of 350.00 feet; thence North 88 degrees 07 minutes 58 seconds West a distance of 200.00 feet; thence North 1 degree 30 minutes 31 seconds East a distance of 130.00 feet to the point of beginning, now platted as Lots 1, 2 & 3, Bud Young Estates, a subdivision in Grain Valley, Jackson County, Missouri.

CURRENCY AND FINANCIAL INSTRUMENTS

1. \$2,490.00 U. S. Currency seized from James R. Everson, Jr.'s 2003 Ford Explorer on May 1, 2009;
2. \$10,590 U. S. Currency seized from 8504 Rowland Avenue, Kansas City, Kansas on May 1, 2009;
3. \$2,022.71 in money orders and a cashier's check seized from 8504 Rowland Avenue, Kansas City, Kansas on May 1, 2009.

PERSONAL PROPERTY

CONVEYANCES with all attachments thereon:

1. 2008 Harley Davidson MC, VIN: 1HD1JK5178Y071027;
2. 2008 Kawasaki MC, VIN: JKBZXNC128A001361.

All in violation of Title 21, United States Code, Section 853(a)(1) and (a)(2) and Title 18, United States Code, Section 982(a)(1) .

A TRUE BILL.

/s/ Georgia A. Young
FOREPERSON OF THE GRAND JURY

Dated: 5/19/09

/s/ Bruce Rhoades
Bruce Rhoades
Assistant United States Attorney