



) **COUNT TWELVE**  
 ) **18 U.S.C. §§ 2322 and 2**  
 ) (Operating a Chop Shop)  
 )  
 ) NMT Fifteen Years Imprisonment;  
 ) NMT \$250,000 Fine;  
 ) NMT Three Years Supervised Release;  
 ) Class C Felony  
 )  
 ) \$100 Mandatory Special Assessment for All  
 ) Counts

Summary of Charges:

<b>DEFENDANT</b>	<b>COUNT</b>	<b>MAXIMUM IMPRISONMENT</b>	<b>MAXIMUM FINE</b>
DARIN L. YOHE, (1)	1, 6, 7, 9, 10, 12	75 years	\$ 1,500,000
SEAN C. DALE, (2)	1, 4 - 7, 9, 10	90 years	\$ 1,750,000
DAVID L. REIFF, (3)	1, 7, 9	35 years	\$ 750,000
DONALD L. BUTTMAN, JR., (4)	1, 8, 11	30 years	\$ 750,000
HARLEY HARVEY, (5)	1 - 3, 8, 11	60 years	\$ 1,250,000
HAYDEN WELLS, (6)	1, 9, 12	35 years	\$ 750,000
ANGELA E. COMER, (7)	1	5 years	\$ 250,000
TIMOTHY W. HOLLOWAY, (8)	1, 6	20 years	\$ 500,000
JOHN T. SLOAN, (9)	1, 10	15 years	\$ 500,000
BRANDY FOUTS, (10)	1	5 years	\$ 250,000

## INDICTMENT

### THE GRAND JURY CHARGES THAT:

#### COUNT ONE

(Conspiracy to Transport Stolen Vehicles, Sell or Receive  
Stolen Vehicles, and Transport Stolen Property)

**A. Background**

At all times material and relevant to this Indictment:

1. Defendant DARIN YOHE (“YOHE”) was a resident of Kansas City, Jackson County, Missouri.
2. Defendant SEAN DALE (“DALE”) was a resident of the state of Missouri, and is currently incarcerated with the Missouri Department of Corrections.
3. Defendant DAVID REIFF (“REIFF”) was a resident of Raytown, Jackson County, Missouri.
4. Defendant DONALD BUTTMAN, JR. (“BUTTMAN”) was a resident of Kansas City, Jackson County, Missouri.
5. Defendant HARLEY HARVEY (“HARVEY”) was a resident of Blue Springs, Jackson County, Missouri.
6. Defendant HAYDEN WELLS (“WELLS”) was a resident of Kansas City, Jackson County, Missouri.
7. Defendant ANGELA COMER (“COMER”) was a resident of Kansas City, Jackson County, Missouri.
8. Defendant TIMOTHY HOLLOWAY (“HOLLOWAY”) was a resident of Independence, Jackson County, Missouri.

9. Defendant JOHN SLOAN (“SLOAN”) was a resident of Blue Springs, Jackson County, Missouri.

10. Defendant BRANDY FOUTS (“FOUTS”) was a resident of Independence, Jackson County, Missouri.

***B. The Conspiracy and Its Objects***

11. Between on or about March 13, 2004, to and including August 26, 2007, said dates being approximate, in the Western District of Missouri and elsewhere, defendants DARIN YOHE (“YOHE”), SEAN DALE (“DALE”), DAVID REIFF (“REIFF”), DONALD BUTTMAN, JR. (“BUTTMAN”), HARLEY HARVEY (“HARVEY”), HAYDEN WELLS (“WELLS”), ANGELA COMER (“COMER”), TIMOTHY HOLLOWAY (“HOLLOWAY”), JOHN T. SLOAN (“SLOAN”), and BRANDY FOUTS (“FOUTS”), did knowingly combine, conspire, and agree with one another and with others known and unknown to the grand jury, to commit the offenses of: (a) transporting stolen vehicles, in violation of Title 18, United States Code, Section 2312; (b) selling stolen vehicles, in violation of Title 18, United States Code, Section 2313; and (c) transporting stolen property, in violation of Title 18, United States Code, Section 2314.

***C. Manner and Means by which the Conspiracy Was Carried Out***

12. The members of the conspiracy used various manners and means to effect the object and purpose of the conspiracy, including but not limited to the following:

a. It was a part of the conspiracy that its members, including YOHE, DALE, REIFF, BUTTMAN, HARVEY, WELLS, and HOLLOWAY would and did steal trucks, cars, trailers, construction equipment, and motorcycles and transport them in and across state lines for the

purpose of “chopping” the vehicles up and selling or trading the parts for financial gain or to trade for illegal drugs.

b. It was further a part of the conspiracy that while YOHE, DALE, REIFF, BUTTMAN, HARVEY, WELLS, and HOLLOWAY were involved in stealing and transporting vehicles across state lines, COMER, SLOAN, and FOUTS were primarily involved in storing, disposing of, and selling stolen vehicles and stolen vehicle parts.

c. It was further a part of the conspiracy that between \$22,000 and \$25,000 could be made from the sale of the parts from each stolen vehicle. An entire vehicle could be chopped by one person in six to seven hours.

d. It was further a part of the conspiracy that its members, including YOHE, DALE, REIFF, and WELLS stole vehicles, transported them in interstate commerce and operated a chop shop at XXXX, Kansas City, Kansas.

e. It was a further part of the conspiracy that its members, including YOHE, DALE, HARVEY, WELLS, and BUTTMAN stole vehicles, transported them in interstate commerce and operated a chop shop at Don’s Mobile Welding, 6700 East 40 Highway, Kansas City, Missouri.

f. It was further a part of the conspiracy that its members, including YOHE, DALE, REIFF, and WELLS stole vehicles, transported them in interstate commerce, and operated a chop shop at Action Radiator, 702 Cheyenne Avenue, Kansas City, Kansas.

g. It was further a part of the conspiracy that its members, including SLOAN, who was co-manager of the Lock Box storage unit, along with YOHE, DALE, WELLS, and HOLLOWAY, without completing the appropriate rental paperwork, stored stolen motor vehicle

parts at the Lock Box storage unit, at 8408 SW State Highway 7, Blue Springs, Missouri, and at other locations in Missouri and Kansas.

h. It was further a part of the conspiracy that its members, including YOHE, DALE, WELLS, and FOUTS, DALE's live-in girlfriend, stored stolen motor vehicle parts and stolen automobiles at 5139 Booth, Kansas City, Missouri.

i. It was further a part of the conspiracy that its members, including HARVEY and BUTTMAN stole vehicles and other goods, transported them across state lines and operated a chop shop at XXXX, Blue Springs, Missouri.

j. It was further a part of the conspiracy that its members, including YOHE and COMER, YOHE'S live-in girlfriend, acquired stolen motor vehicle parts and other stolen goods and sold them on eBay for a profit.

***D. Overt Acts***

13. In furtherance of and to effect the objectives of the conspiracy, and to accomplish its purposes and objectives, the defendants committed and caused to be committed various overt acts in the Western District of Missouri, including but not limited to the following:

a. On or about October 15, 2005, a 2003 60XT skid loader was stolen from Olathe, Kansas.

b. On or about June 14, 2007, said 2003 60 XT skid loader was stored at HARVEY's shop in Blue Springs, Missouri.

c. On or about December 26, 2005, a 2000 Ingersol skid loader was stolen from Overland Park, Kansas.

d. On or about June 14, 2007, said 2000 Ingersol skid loader was stored at HARVEY's shop in Blue Springs, Missouri

e. On or about January 7, 2006, YOHE stole a 1992 Honda Prelude from a location in Jefferson County, Kansas.

f. On or about June 1, 2007, the motor from said stolen Prelude, along with other stolen vehicle parts, was stored on a trailer at WELLS' home in Jackson County, Missouri.

g. Between on or about December 5 – 13, 2006, DALE stole a 2007 Ford F250 white 4x4 crew-cab pickup truck from the Olathe Ford dealership lot.

h. Between on or about December 5 – 13, 2006, YOHE took said stolen 2007 Ford F250 white crew-cab pickup truck to HOLLOWAY's residence at XXXX, Independence, Missouri, for storage.

i. Between on or about December 5 – 13, 2006, YOHE and DALE "chopped" up said stolen 2007 Ford F250 white 4x4 crew-cab pickup truck at Don's Mobile Welding, which is owned by BUTTMAN's father.

j. Between on or about December 5 – 13, 2006, DALE paid BUTTMAN \$1,000 for letting DALE use BUTTMAN's father's shop to chop up said stolen 2007 Ford 250 white 4x4 crew-cab pickup truck.

k. Between on or about December 8 and 9, 2006, DALE stole a 2003 Ford F350 white dually extended cab and chopped it up at Don's Mobile Welding.

l. On or about December 16, 2006, DALE stole a brown 2001 Ford F250 truck from Olathe Ford.

m. On or about December 16, 2006, DALE stole a red 2006 Ford F350 regular cab 4x4 pickup truck from Xtreme Ford, Overland Park, Kansas.

n. On or about December 16, 2006, DALE and YOHE stole a 1986 crew-cab Ford diesel pickup truck from Olathe Ford.

o. On or about January 22, 2007, said 1986 crew-cab Ford diesel pickup truck was stored at HOLLOWAY's residence, located at XXXX, Independence, Missouri.

p. On or about December 23, 2006, YOHE stole a blue 2007 Ford F250 pickup truck from Olathe Ford and drove it to the Lock Box, 8408 SW Highway 7, Blue Springs, Missouri for storage.

q. On or about December 23, 2006, DALE and YOHE stole a 1999 crew-cab Ford diesel (MG&E) truck and drove it to the Lock Box.

r. On or about January 15, 2007, DALE stole a red 2002 extended cab 4x4 Ford F250 pickup truck from Heritage Ford, in Odessa, Missouri.

s. On or about January 15, 2007, said stolen red 2002 extended cab 4x4 Ford F250 pickup truck was stored outside Action Radiator in Kansas City, Kansas.

t. On or about January 22, 2007, DALE stole a maroon and copper 2004 Ford F350 regular cab 4x4 pickup truck from the Higginsville Ford car lot.

u. On or about January 22, 2007, DALE transported said stolen maroon and copper 2004 Ford F350 regular cab 4x4 pickup truck across state lines and chopped it up at Action Radiator, owned by REIFF.

v. On or about January 28, 2007, a 2004 Dodge Ram 3500 was stolen from Lenexa, Kansas.



w. On or about June 14, 2007, said stolen 2004 Dodge Ram 3500 was stored in Blue Springs, Missouri, at HARVEY's shop, and a trailer that was attached to said truck at the time it was stolen was stored at Don's Mobile Welding.

x. On or about February 4, 2007, and following DALE's arrest, REIFF bonded DALE out of jail using money DALE acquired from the sale of stolen vehicle parts.

y. Between on or about February 4 and 5, 2007, YOHE and DALE stole a 2004 Ford F350 pickup truck from the Olathe Police Department impound lot.

z. During the month of February 2007, the 2004 Ford F350 pickup truck that was stolen from the Olathe Police Department impound lot was stored at Action Radiator.

aa. On or about February 23, 2007, the 2004 Ford F350 that was stolen from the Olathe Police Department impound lot was stored at the chop shop at XXXX, Kansas City, Kansas.

bb. Between on or about February 4 – 7, 2007, YOHE stole a grey 2006 Ford F350 crew-cab Lariat from Gladstone Ford.

cc. On or about February 5, 2007, a 2007 maroon Ford F250 King Ranch crew-cab 4x4 pickup truck, was stolen by DALE and YOHE from Rob Sight Ford, Martin City, Missouri.

dd. On or about February 5, 2007, said 2007 maroon Ford F250 King Ranch crew-cab was chopped up at XXXX, Kansas City, Kansas.

ee. On or about February 10 – 12, 2007, a 2008 white Ford F250 Sport extended cab diesel 4x4, was stolen by DALE and YOHE from Rob Sight Ford, Martin City, Missouri.

ff. Between on or about February 10 – 12, 2007, DALE drove said 2008 white Ford F250 Sport to Action Radiator, where it was chopped up.

gg. During the months of February and March 2007, DALE sold and delivered the frame, motor, transmission, and axles of said 2008 white Ford F250 Sport to Elite Diesel, Pueblo, Colorado, for \$10,000.

hh. Sometime during the months of February and March 2007, REIFF cashed a \$1,500 check that DALE had received from Elite Diesel in payment for stolen car parts.

ii. On or about February 23, 2007, other parts of said 2008 white Ford F250 Sport were stored at the chop shop located at XXXX, Kansas City, Kansas.

jj. Between on or about February 17 – 19, 2007, DALE and YOHE stole a 2005 black Harley Davidson Ford F250 4x4 crew-cab from Rob Sight Ford, Martin City, Missouri, and took it to Action Radiator, where it was chopped up.

kk. Between on or about February 17 – 19, 2007, a 2007 black Ford F250 Harley Davidson crew-cab 4x4 short-bed was stolen from Shawnee Mission Ford, which was thereafter used by DALE to pull a trailer with stolen parts on it to Elite Diesel, Pueblo, Colorado.

ll. On or about February 2007, and using the user ID “turboguy,” DALE sold stolen property on Ebay to an out-of-state buyer, said stolen property consisting of two programmers, some gauges, a gauge cluster and some turbo injectors.

mm. Between on or about February 26 – 28, 2007, DALE stole a 2007 blue Ford F250 extended cab 4x4 diesel from a dealership in Colorado Springs, Colorado.

nn. Between February and March 2007, Dale drove said stolen 2007 blue Ford F250 extended cab 4x4 diesel from Colorado to Kansas City, Missouri, to Oklahoma City, Oklahoma, and through several other states, ultimately ending up in Bullhead City, Arizona.

oo. On or about March 13, 2007, in Bullhead City, Arizona, DALE stole a gold 2002 Ford F250 extended crew-cab 4x2.

pp. Between on or about March through April 2007, DALE stole a silver 2007 BMW 328i from a BMW dealership in Paducah, Kentucky, and drove it back to Kansas City, Missouri.

qq. Between on or about March through April 2007, DALE parked and stored the stolen BMW inside WELLS' garage at XXXX, Kansas City, Missouri.

rr. Between on or about March through April 2007, DALE contacted WELLS' girlfriend, FOUTS, to obtain her assistance in disposing of the stolen BMW.

ss. Between January 27, 2007, and February 9, 2007, BUTTMAN and HARVEY transported in interstate commerce an ATC 40-foot trailer from Lenexa, Kansas, to Jackson County, Missouri.

tt. Each of the offenses charged in Counts Two through Twelve are alleged to be separate overt acts undertaken in furtherance of the conspiracy and to accomplish the objective of the conspiracy, and the factual allegations in each of said Counts are incorporated by reference as if fully set forth herein as overt acts.

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

**COUNTS TWO through FIVE**  
(Transportation of a Stolen Motor Vehicle)

On or about the dates set forth below, with said dates being approximate, within the Western District of Missouri and elsewhere, the defendant identified below, transported, and caused to be transported, in interstate commerce across state lines between the State of Missouri and at least one

other State, the stolen motor vehicle identified below, and the defendant knew the motor vehicle was stolen at the time it was transported across state lines.

<b>COUNT</b>	<b>DATE</b>	<b>DEFENDANT</b>	<b>MOTOR VEHICLE</b>
2	October 15, 2005	Harley Harvey	2003 60XT skid loader with a value of approximately \$30,000
3	December 26, 2005	Harley Harvey	2000 Ingersol skid loader with a value of approximately \$32,000
4	Between February 26 and February 28, 2007	Sean Dale	2007 Ford F250 pickup truck
5	Between March 1, 2007 and April 30, 2007	Sean Dale	2007 BMW 328i

All in violation of Title 18, United States Code, Sections 2312 and 2.

**COUNTS SIX through NINE**  
(Transportation of a Stolen Motor Vehicle)

On or about the dates set forth below, and with said dates being approximate, within the Western District of Missouri and elsewhere, the defendants identified below, aiding and abetting each other, transported, and caused to be transported, in interstate commerce across state lines between the State of Missouri and at least one other State, the stolen motor vehicle identified below, and said defendants knew the motor vehicle was stolen at the time it was transported across state lines.

<b>COUNT</b>	<b>DATE</b>	<b>DEFENDANTS</b>	<b>MOTOR VEHICLE</b>
6	Between December 16, 2006, and January 22, 2007	Darin Yohe Sean Dale Timothy Holloway	1986 Ford F350 pickup truck

<b>COUNT</b>	<b>DATE</b>	<b>DEFENDANTS</b>	<b>MOTOR VEHICLE</b>
7	Between January 5, 2007, and January 22, 2007	Darin Yohe Sean Dale David Reiff	2002 Ford F250 pickup truck
8	Between January 28, 2007, and June 14, 2007	Donald Buttman, Jr. Harley Harvey	2004 Dodge Ram 350 pickup truck
9	Between February 10, 2007, and February 23, 2007	Darin Yohe Sean Dale David Reiff Hayden Wells	2008 Ford F250 pickup truck

All in violation of Title 18, United States Code, Sections 2312 and 2.

**COUNT TEN**

(Sale of a Stolen Motor Vehicle)

On or about the dates set forth below, and with said dates being approximate, within the Western District of Missouri and elsewhere, the defendants identified below, aiding and abetting each other, received, possessed, concealed, stored, bartered, sold, and disposed of a stolen motor vehicle that had crossed the state lines between the State of Missouri and at least one other State after the motor vehicle had been stolen, and said defendants knew the motor vehicle had been stolen at the time they received, possessed, concealed, stored, bartered, sold, and disposed of it.

<b>COUNT</b>	<b>DATE</b>	<b>DEFENDANTS</b>	<b>MOTOR VEHICLE</b>
10	Between December 16, 2006, and January 22, 2007	Darin Yohe Sean Dale John T. Sloan	2007 Ford F250 pickup truck

All in violation of Title 18, United States Code, Sections 2313 and 2.

**COUNT ELEVEN**

(Transportation of Stolen Property)

On or about the dates set forth below, and with said dates being approximate, within the Western District of Missouri and elsewhere, the defendants identified below, aiding and abetting each other, transported, transmitted, and transferred in interstate commerce, across state lines between the State of Missouri and at least one other State, the stolen property identified below which had a value of \$5,000 or more, and said defendants knew said property was stolen at the time it was transported, transmitted, and transferred across state lines.

<b>COUNT</b>	<b>DATE</b>	<b>DEFENDANTS</b>	<b>MOTOR VEHICLE</b>
11	Between January 27, 2007, and February 9, 2007	Donald Buttman, Jr. Harley Harvey	ATC 40-foot trailer, with a value of approximately \$39,480

All in violation of Title 18, United States Code, Sections 2314 and 2.

**COUNT TWELVE**

(Operating a Chop Shop)

On or about January 7, 2006, and with said date being approximate, within the Western District of Missouri and elsewhere, defendants YOHE and WELLS, aiding and abetting each other, did knowingly own, operate, maintain, and control a chop shop located at 5139 Booth, Kansas City, Missouri, and conduct operations in said chop shop, in that said defendants used said building, lot, facility, structure and premise to receive, conceal, destroy, disassemble, dismantle, reassemble, and store a passenger motor vehicle that had been unlawfully obtained, to-wit: a stolen 1992 Honda Prelude and the motor vehicle parts therefrom, so that said defendants could alter, counterfeit, deface, destroy, disguise, falsify, forge, obliterate, and remove the identity of such passenger motor

vehicle and passenger motor vehicle parts, and said defendants thereafter distributed, sold, and disposed of such passenger motor vehicle and passenger motor vehicle parts in interstate commerce.

All in violation of Title 18, United States Code, Sections 2322 and 2.

A TRUE BILL.

12/4/07  
DATE

/s/ Foreperson  
FOREPERSON OF THE GRAND JURY

/s/ Jane Pansing Brown  
Jane Pansing Brown  
Assistant United States Attorney