

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

McGREGOR W. SCOTT
United States Attorney
MARK E. CULLERS
LAUREL J. MONTOYA
Assistant U.S. Attorneys
4401 Federal Building
2500 Tulare Street
Fresno, CA 93721
Telephone: (559)497-4000

FILED

JUL 11 2008

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY C. ESTEVES
DEPUTY CLERK

SEALED

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAUL DELEON,

Defendant.

CASE NO: 08 CR 00220 OWW
VIOLATIONS: 18 U.S.C. § 1001 -
Making a False, Fictitious or
Fraudulent Statement (Three
Counts)

I N D I C T M E N T

The Grand Jury charges:

RAUL DELEON,
defendant herein, as follows:

I.

INTRODUCTION

1. At all times relevant herein, the Central Valley Gang Impact Task Force (CVGIT) was an task force comprised of State and Federal law enforcement agencies who worked together to combat gangs and organized crime in the central San Joaquin Valley.

1 2. At all times relevant herein, the Federal Bureau of
2 Investigation (FBI), the Modesto Police Department and the Stanislaus
3 County District Attorney's Office were members of CVGIT.

4 3. At all times relevant herein, CVGIT was conducting an
5 investigation into a criminal enterprise known as the Holloway
6 criminal enterprise. The Holloway criminal enterprise consists of
7 Robert Holloway, Brent Holloway, Road Dog Cycle (located in Denair,
8 California) and individuals associated with Robert Holloway and Road
9 Dog Cycle.

10 4. At all times relevant herein, members of the CVGIT who were
11 involved in the investigation of the Holloway criminal enterprise
12 were concerned about information gathered during the investigation
13 being disseminated to those outside of law enforcement and to those
14 under investigation. Such unauthorized dissemination impeded the
15 investigation in numerous ways, including, but not limited to,
16 altering the methods by which CVGIT conducted the investigation and
17 causing CVGIT to lose its ability to utilize normal avenues of
18 communication with other law enforcement components.

19 5. At all times relevant herein, defendant RAUL DELEON was
20 employed as a Captain with the Stanislaus County Sheriff's
21 Department. Defendant RAUL DELEON was also Commander of the
22 Operations Division, which included SWAT, STING (gang unit),
23 detectives and patrol, all of whom reported to defendant RAUL DELEON.

24 6. At all times relevant herein, CVGIT was involved the
25 execution of search warrants on a residence of Daniel Dugranrut, a
26 known associate of Robert Holloway.

27 7. At all times relevant herein, during the execution of the
28 search warrant on the residence of Daniel Dugranrut, Robert Holloway

1 placed a telephone call to defendant RAUL DELEON to try to ascertain
2 the nature and purpose of the search warrant.

3 8. At all times relevant herein, CVGIT had issued a State grand
4 jury subpoena to defendant RAUL DELEON requesting that he produce
5 information and documents concerning Kathy Holloway, the spouse of
6 Robert Holloway.

7 II.

8 THE CHARGES

9 COUNT ONE: [18 U.S.C. § 1001 - Making a False, Fictitious or
10 Fraudulent Statement]

11 9. The allegations contained in paragraphs 1 through 8 of this
12 Indictment are hereby realleged and incorporated herein by this
13 reference.

14 10. On or about November 20, 2007, in the County of Stanislaus,
15 Eastern District of California, in a matter within the jurisdiction
16 of the Federal Bureau of Investigation, an agency of the United
17 States, defendant RAUL DELEON did knowingly and willfully make a
18 false, fraudulent and fictitious material statement and
19 representation; that is, defendant RAUL DELEON during an interview
20 with the FBI and other CVGIT members, denied that Robert Holloway had
21 informed him that Daniel Dugranrut was attempting to hide and secrete
22 evidence from law enforcement while he was evading the execution of
23 the search warrant, when in fact, as the defendant then and there
24 knew, Robert Holloway had so informed defendant RAUL DELEON during
25 the course of a telephone conversation on October 16, 2007.

26 11. Specifically, defendant RAUL DELEON was asked the following
27 question and gave the following answer:

28 Q: Was there anything other than just the time away from
the service of the search warrant, that he basically

1 needed that time to just talk to an attorney before he
2 surrendered himself? Armendariz said, and this is
3 what Armendariz told me, is that Bob told him that he
4 wanted to make sure that, he being Dugranrut, that his
5 patch and his bike and all of his club sh__ was
6 safely put away before he was arrested.

7 A: He didn't say anything like that to me.

8 All in violation of Title 18, United States Code, section 1001.

9 COUNT TWO: [18 U.S.C. § 1001 - Making a False, Fictitious or
10 Fraudulent Statement]

11 The Grand Jury further charges:

12 RAUL DELEON,

13 defendant herein, as follows:

14 12. The allegations contained in paragraphs 1 through 8 of this
15 Indictment are hereby realleged and incorporated herein by this
16 reference.

17 13. On or about November 20, 2007, in the County of Stanislaus,
18 Eastern District of California, in a matter within the jurisdiction
19 of the Federal Bureau of Investigation, an agency of the United
20 States, defendant RAUL DELEON did knowingly and willfully make a
21 false, fraudulent and fictitious material statement and
22 representation; that is, defendant RAUL DELEON during an interview
23 with the FBI and other CVGIT members, denied that he had informed
24 Robert Holloway about the State grand jury subpoena that had been
25 served upon defendant RAUL DELEON, when in fact, as the defendant
26 then and there knew, he had so informed Robert Holloway during the
27 course of a telephone conversation on October 16, 2007.

28 14. Specifically, defendant RAUL DELEON was asked the following
question and gave the following answer:

1 Q: But no attorneys or target subjects, like Bob?

2 A: Oh, absolutely not, no, no, that's what pissed me off
3 about Mary Lynn Belsher saying that I called.

4 All in violation of Title 18, United States Code, section 1001.

5 COUNT THREE: [18 U.S.C. § 1001 - Making a False, Fictitious or
6 Fraudulent Statement]

7 The Grand Jury further charges:

8 RAUL DELEON,

9 defendant herein, as follows:

10 15. The allegations contained in paragraphs 1 through 8 of this
11 Indictment are hereby realleged and incorporated herein by this
12 reference.

13 16. On or about November 20, 2007, in the County of Stanislaus,
14 Eastern District of California, in a matter within the jurisdiction
15 of the Federal Bureau of Investigation, an agency of the United
16 States, defendant RAUL DELEON did knowingly and willfully make a
17 false, fraudulent and fictitious material statement and
18 representation; that is, defendant RAUL DELEON during an interview
19 with the FBI and other CVGIT members, denied that he had a friendly,
20 personal relationship with Robert Holloway, when in fact, as the
21 defendant then and there knew, he had a friendly relationship with
22 Robert Holloway, had vacationed with Robert Holloway in Mexico in
23 December, 2005, and had seen and spoken to him on September 19, 2007.

24 17. Specifically, defendant RAUL DELEON was asked the following
25 question and gave the following answer:

26 Q: But you're saying a prior friendship but you would
27 consider yourself now more of an acquaintance?

28 A: Oh, yeah, yeah.

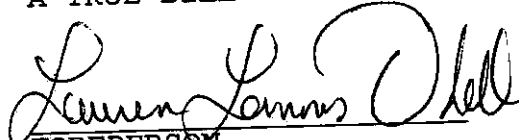
Q: How long ago would you say you were in that friendship
capacity?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A: Probably while he worked here.

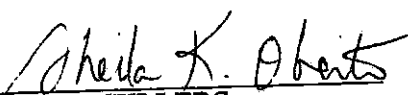
All in violation of Title 18, United States Code, section 1001.

A TRUE BILL


FOREPERSON

McGREGOR W. SCOTT
United States Attorney

By


MARK E. CULLERS
Assistant United States Attorney
Chief, Fresno Office