

CLERK'S OFFICE U.S. DIST COURT
AT ROANOKE, VA
FILED

MAR 05 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION
MARCH 2009 SESSION

JOHN F. CORCORAN, CLERK
BY:

R. Collins
DEPUTY CLERK

UNITED STATES OF AMERICA)	Criminal No. 7:08CR00041
)	
v.)	
)	<u>In Violation of:</u>
CLIFTON DWIGHT LEE, a/k/a "Lite")	Title 21, U.S.C. § 846
MICHAEL JOHN DUGGINS, JR.)	Title 21, U.S.C. § 841
ROBERT DWAYNE EARLY,)	Title 18, U.S.C. §924(c)
a/k/a "Dollar Rob")	Title 18, U.S.C. §922(g)
ERIC WAYNE OTEY, JR.,)	
a/k/a "Cakes")	
PARIS EUGENE ROBINSON)	
SAFIYYAH AMIRAH OMAR)	

THIRD
SUPERSEDING INDICTMENT

COUNT ONE

The Grand Jury charges:

1. That on a date unknown, but no later than 2002 through July 30, 2008, in the Western Judicial District of Virginia and elsewhere, the defendants; CLIFTON DWIGHT LEE, a/k/a "Lite", MICHAEL JOHN DUGGINS, JR., ROBERT DWAYNE EARLY, a/k/a "Dollar Rob", Eric Wayne Otey, Jr., A/k/a "Cakes", PARIS EUGENE ROBINSON, and Safiyyah Amirah Omar, knowingly and intentionally attempted and or combined, conspired, confederated and agreed with diverse other persons known and unknown to the Grand Jury, to commit the following offenses against the United States, to wit: to possess with intent to distribute and to distribute more than 100 grams of a mixture or substance containing a detectable amount of heroin, a measurable quantity of a mixture or

substance containing a detectable amount of cocaine HCL and a measurable quantity of a mixture or substance containing a detectable amount of cocaine base, also known as "crack", Schedule I and Schedule II controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

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

COUNT TWO

The Grand Jury charges:

1. That on or about the 12th day of December, 2006, in the Western Judicial District of Virginia, the defendants, PARIS EUGENE ROBINSON and Safiyyah Amirah Omar, did knowingly and intentionally distribute and possess with intent to distribute, a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

2. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT THREE

The Grand Jury charges:

1. That on or about the 13th and 14th day of December, 2006, in the Western Judicial District of Virginia, the defendant, ROBERT DWAYNE EARLY, a/k/a "Dollar Rob", willfully and knowingly attempted to possess with intent to distribute a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

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

COUNT FOUR

The Grand Jury charges:

1. That on or about the 15th day of May, 2007, in the Western Judicial District of Virginia, the defendant, ROBERT DWAYNE EARLY, a/k/a "Dollar Rob", did knowingly and intentionally distribute, and possess with intent to distribute, a mixture or substance containing a detectable amount of heroin, a Schedule II narcotic controlled substance.
2. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT FIVE

The Grand Jury charges:

1. That on or about the 15th day of May, 2007, in the Western Judicial District of Virginia, the defendant, ROBERT DWAYNE EARLY, a/k/a "Dollar Rob", in a separate occurrence from Count Four above, did knowingly and intentionally distribute, and possess with intent to distribute, a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.
2. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT SIX

The Grand Jury charges:

1. That on or about the 14th day of November, 2007, in the Western Judicial District of Virginia, the defendant, CLIFTON DWIGHT LEE, a/k/a "Lite", did knowingly and intentionally possess with intent to distribute, a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.
2. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT SEVEN

The Grand Jury charges:

1. That on or about the 14th day of November, 2007, in the Western Judicial District of Virginia, the defendant, CLIFTON DWIGHT LEE, a/k/a "Lite", did knowingly and intentionally distribute a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

2. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT EIGHT

The Grand Jury charges:

1. That on or about the 30th day of November, 2007, in the Western Judicial District of Virginia, the defendants, CLIFTON DWIGHT LEE, a/k/a "Lite" and Eric Wayne Otey, Jr., a/k/a "Cakes", did knowingly and intentionally possess with intent to distribute, or did aid and abet in the possession with intent to distribute, of a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

2. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT NINE

The Grand Jury charges:

1. That on or about the 30th day of November, 2007, in the Western Judicial District of Virginia, the defendants, CLIFTON DWIGHT LEE, a/k/a "Lite" and Eric Wayne Otey, Jr., a/k/a "Cakes", did knowingly and intentionally distribute, or did aid and abet in the distribution, of a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

2. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT TEN

The Grand Jury charges:

1. That on or about the 24th day of July, 2008, in the Western Judicial District of Virginia, the defendant, CLIFTON DWIGHT LEE, a/k/a "Lite", did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

2. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT ELEVEN

The Grand Jury charges:

1. That on or about the 24th day of July, 2008, in the Western Judicial District of Virginia, the defendant, CLIFTON DWIGHT LEE, a/k/a "Lite", did knowingly and intentionally distribute a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

2. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TWELVE

The Grand Jury charges that:

1. On or about the 24th day of July, 2008, in the Western Judicial District of Virginia, the defendant, CLIFTON DWIGHT LEE, a/k/a "Lite", did knowingly use or carry a firearm during and in relation to a drug trafficking crime which may be prosecuted in a court of the United States as heretofore set forth in Counts Ten and Eleven of this Indictment.

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

COUNT THIRTEEN

The Grand Jury charges that:

1. On or about the 24th day of July, 2008, in the Western Judicial District of Virginia, the defendant, CLIFTON DWIGHT LEE, a/k/a "Lite", did knowingly possess a firearm in furtherance of a drug trafficking crime which may be prosecuted in a court of the United States as heretofore set forth in Counts Ten and Eleven of this Indictment.

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

COUNT FOURTEEN

The Grand Jury charges:

1. That on or about the 25th day of July, 2008, in the Western Judicial District of Virginia, the defendant, CLIFTON DWIGHT LEE, a/k/a "Lite", did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

2. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT FIFTEEN

The Grand Jury charges:

1. That on or about the 25th day of July, 2008, in the Western Judicial District of Virginia, the defendant, CLIFTON DWIGHT LEE, a/k/a "Lite", did knowingly and intentionally distribute a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

2. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT SIXTEEN

The Grand Jury charges that:

1. On or about the 25th day of July, 2008, in the Western Judicial District of Virginia, the defendant, CLIFTON DWIGHT LEE, a/k/a "Lite", did knowingly use or carry a firearm during and in relation to a drug trafficking crime which may be prosecuted in a court of the United States as heretofore set forth in Counts Fourteen and Fifteen of this Indictment.
2. All in violation of Title 18, United States Code, Sections 924(c)(1)(A).

COUNT SEVENTEEN

The Grand Jury charges that:

1. On or about the 25th day of July, 2008, in the Western Judicial District of Virginia, the defendant, CLIFTON DWIGHT LEE, a/k/a "Lite", did knowingly possess a firearm in furtherance of a drug trafficking crime which may be prosecuted in a court of the United States as heretofore set forth in Counts Fourteen and Fifteen of this Indictment.
2. All in violation of Title 18, United States Code, Sections 924(c)(1)(A).

COUNT EIGHTEEN

The Grand Jury charges:

1. That on or about the 29th day of July, 2008, in the Western Judicial District of Virginia, the defendant, CLIFTON DWIGHT LEE, a/k/a "Lite", did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.
2. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT NINETEEN

The Grand Jury charges:

1. That on or about the 29th day of July, 2008, in the Western Judicial District of Virginia, the defendant, CLIFTON DWIGHT LEE, a/k/a "Lite", did knowingly and intentionally distribute a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.
2. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TWENTY

The Grand Jury charges:

1. On or about the 29th day of July, 2008, in the Western Judicial District of Virginia, the defendant, CLIFTON DWIGHT LEE, a/k/a "Lite", did knowingly use or carry a firearm during and in relation to a drug trafficking crime which may be prosecuted in a court of the United States as heretofore set forth in Counts Eighteen and Nineteen of this Indictment.
2. All in violation of Title 18, United States Code, Sections 924(c)(1)(A).

COUNT TWENTY-ONE

The Grand Jury charges:

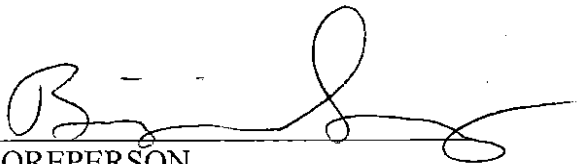
1. On or about the 29th day of July, 2008, in the Western Judicial District of Virginia, the defendant, CLIFTON DWIGHT LEE, a/k/a "Lite", did knowingly possess a firearm in furtherance of a drug trafficking crime which may be prosecuted in a court of the United States as heretofore set forth in Counts Eighteen and Nineteen of this Indictment.
2. All in violation of Title 18, United States Code, Sections 924(c)(1)(A).


COUNT TWENTY-TWO

The Grand Jury further charges that:

1. On or about the period from July 24, 2008 through July 30, 2008, in the Western Judicial District of Virginia, the defendant, CLIFTON DWIGHT LEE, a/k/a "Lite", did knowingly possess a firearm which had previously been shipped or transported in interstate or foreign commerce, after he had previously been convicted of a crime punishable by more than one year imprisonment.
2. In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

A TRUE BILL this 5th day of March, 2009.


FOREPERSON


JULIA C. DUDLEY
UNITED STATES ATTORNEY