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DAVID W. SHAPIRO (NYSBN 2054054)
United States Attorney

ORIGINAL
FILED

MAR 28 2002

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DENNIS FRANKLIN HUNTER,
ROY BRYAN MERCER, and
SHAUN TURNER,

Defendants.

No.: CR 98-00166 MMC

VIOLATIONS: 21 U.S.C. § 846(a)(1) -
Conspiracy to Manufacture and Distribute
Marijuana; 21 U.S.C. § 841 (a)(1)) -
Manufacture of or Possession with Intent to
Distribute Marijuana; 18 U.S.C. § 922 (g)(1) -
Felon in Possession of Firearm;
18 U.S.C. § 371 and 31 U.S.C. § 5324(a)(3) -
Conspiracy to Evade Reporting Requirements;
18 U.S.C. § 1956(h) - Conspiracy to Launder
Monetary Instruments and to Engage in Illegal
Monetary Transactions; 18 U.S.C. § 1956
(a)(1)(A)(i)- Laundering of Monetary
Instruments; 18 U.S.C. § 1957(a)- Engaging
in Illegal Monetary Transactions; 18 U.S.C. §
2 - Aiding and Abetting

SAN FRANCISCO VENUE

SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. § 846)

1. On or about and between June 1, 1997 and June 24, 1998, both dates being
approximate and inclusive, in the Northern District of California, and elsewhere, the defendants

DENNIS FRANKLIN HUNTER,
ROY BRYAN MERCER, and
SHAUN TURNER

1 and others, did knowingly and intentionally conspire to manufacture and to possess with intent to
2 distribute a Schedule I controlled substance, to wit: 1,000 or more marijuana plants, in violation
3 of Title 21, United States Code, Section 846.

4 2. Prior to the date of the offense alleged herein, the defendants

5 DENNIS FRANKLIN HUNTER, and
6 ROY BRYAN MERCER

7 had been convicted of felony drug offenses, as follows: on March 14, 1994, Mendocino County,
8 California, Superior Court Numbers CRO7413 (Hunter) and CRO7412 (Mercer), Possession Of
9 Marijuana For Sale in violation of California Health and Safety Code § 11359. Title 21, United
10 States Code, Section 851.

11
12 COUNT TWO: (21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2)

13 1. On or about June 23, 1998, in the Northern District of California, the defendants

14 DENNIS FRANKLIN HUNTER,
15 ROY BRYAN MERCER, and
16 SHAUN TURNER

17 did knowingly and intentionally manufacture a Schedule I controlled substance, to wit: 1,000 or
18 more marijuana plants, in violation of Title 21, United States Code, Section 841(a)(1)(a) and
19 Title 18, United States Code, Section 2.

20 2. Prior to the date of the offense alleged herein, the defendants

21 DENNIS FRANKLIN HUNTER, and
22 ROY BRYAN MERCER

23 had been convicted of felony drug offenses, as follows: on March 14, 1994, Mendocino County,
24 California, Superior Court Numbers CRO7413 (Hunter) and CRO7412 (Mercer), Possession Of
25 Marijuana For Sale, California Health and Safety Code § 11359. Title 21, United States Code,
26 Section 851.

27 COUNT THREE: (21 U.S.C. § 841(a)(1) and 18 U.S.C. §2)

28 1. On or about June 23, 1998, in the Northern District of California, the defendants

1 DENNIS FRANKLIN HUNTER,
2 ROY BRYAN MERCER, and
3 SHAUN TURNER

4 did knowingly and intentionally possess with intent to distribute a Schedule I controlled
5 substance, to wit: 1,000 or more marijuana plants, in violation of Title 21, United States
6 Code, Section 841(a)(1)(a) and Title 18, United States Code, Section 2.

7 2. Prior to the date of the offense alleged in paragraph 1 above, the defendants

8 DENNIS FRANKLIN HUNTER, and
9 ROY BRYAN MERCER

10 had been convicted of felony drug offenses, as follows: on March 14, 1994, Mendocino County,
11 California, Superior Court Numbers CRO7413 (Hunter) and CRO7412 (Mercer), Possession Of
12 Marijuana For Sale in violation of California Health and Safety Code § 11359. Title 21, United
13 States Code, Section 851.

14 COUNT FOUR: (18 U.S.C. § 922(g)(1))

15 On or about June 23, 1998, in the Northern District of California, the defendant

16 DENNIS FRANKLIN HUNTER,

17 having previously been convicted of a felony crime punishable by a term of imprisonment
18 exceeding one year, did knowingly possess a firearm, described as a Colt, 10 millimeter,
19 Government Model Delta Elite semi-automatic pistol, serial number DS02044E, in and affecting
20 commerce, in violation of Title 18, United States Code, Section 922 (g)(1).

21
22 COUNT FIVE: (18 U.S.C. § 922(g)(1))

23 On or about June 23, 1998, in the Northern District of California, the defendant

24 DENNIS FRANKLIN HUNTER,

25 having previously been convicted of a felony crime punishable by a term of imprisonment
26 exceeding one year, did knowingly possess a firearm, described as a Sturm, Ruger and Co. Inc.,
27 .223 caliber, Model Mini-14 semi-automatic rifle, serial number 183-22911, in and affecting
28 commerce, in violation of Title 18, United States Code, Section 922 (g)(1).

1 COUNT SIX: (18 U.S.C. § 922(g)(1))

2 On or about June 23, 1998, in the Northern District of California, the defendant
3 ROY BRYAN MERCER,
4 having previously been convicted of a felony crime punishable by a term of imprisonment
5 exceeding one year, did knowingly possess a firearm, described as a Remington, 12-gauge
6 Express Magnum, Model 870 shotgun, serial number C002156M, in and affecting commerce, in
7 violation of Title 18, United States Code, Section 922(g)(1).

8
9 COUNT SEVEN: (18 U.S.C. § 922(g)(1))

10 On or about June 23, 1998, in the Northern District of California, the defendant
11 ROY BRYAN MERCER,
12 having previously been convicted of a felony crime punishable by a term of imprisonment
13 exceeding one year, did knowingly possess a firearm, described as a Remington, 20-gauge,
14 Model 1100 shotgun, serial number R016388K, in and affecting commerce, in violation of Title
15 18, United States Code, Section 922 (g)(1).

16
17 COUNT EIGHT: (18 U.S.C. § 371 and 31 U.S.C. § 5324(a)(3))

18 1. On or about and between October 1997 and June 1998, both dates being
19 approximate and inclusive, in the Northern District of California and elsewhere, the defendants
20 DENNIS FRANKLIN HUNTER,
21 ROY BRYAN MERCER, and
22 SHAUN TURNER
23 did knowingly and intentionally combine, conspire, and agree with one another, and with others
24 known and unknown to the grand jury, to willfully and for the purpose of evading the reporting
25 requirements of Title 31, United States Code, Section 5313(a) and the regulations promulgated
26 thereunder, structure or assist in structuring a series of transactions with Humboldt Bank and
27 Bank of America, both domestic financial institutions, by making cash deposits in amounts under
28 \$10,000, in violation of Title 31, United States Code, Section 5324(a)(3).

1 2. In furtherance of the conspiracy and to effect the objects thereof, in the Northern
 2 District of California, the defendants committed the following overt acts of depositing currency,
 3 among others:

	Date	Financial Institution	Account No.	Name on Account	Amount of Currency Deposit
4	11/03/1997	Humboldt Bank	06-023568	SHAUN TURNER	9,000
5	11/04/1997	Humboldt Bank	06-023568	SHAUN TURNER	9,500
6	11/10/1997	Humboldt Bank	06-023568	SHAUN TURNER	9,800
7	11/25/1997	Humboldt Bank	06-023568	SHAUN TURNER	9,000
8	11/26/1997	Humboldt Bank	06-023568	SHAUN TURNER	7,000
9	12/29/1997	Humboldt Bank	06-023568	SHAUN TURNER	9,000
10	01/06/1998	Humboldt Bank	06-023568	SHAUN TURNER	8,000
11	01/07/1998	Humboldt Bank	06-023568	SHAUN TURNER	8,000
12	01/07/1998	Humboldt Bank	06-023568	SHAUN TURNER	9,000
13	01/08/1998	Humboldt Bank	06-023568	SHAUN TURNER	8,500
14	01/20/1998	Humboldt Bank	06-023568	SHAUN TURNER	7,820
15	01/20/1998	Humboldt Bank	06-023568	SHAUN TURNER	8,000
16	04/09/1998	Bank of America	01080-04103	CYNTHIA L. VERDOT	1,000
17	04/10/1998	Bank of America	01080-04103	CYNTHIA L. VERDOT	9,500
18	04/13/1998	Bank of America	01080-04103	CYNTHIA L. VERDOT	9,500
19	04/24/1998	Bank of America	01242-01432	JEROMY P. SHULL	5,000
20	04/27/1998	Bank of America	01242-01432	JEROMY P. SHULL	9,000
21	04/27/1998	Bank of America	01080-04103	CYNTHIA L. VERDOT	2,200
22	04/29/1998	Bank of America	01080-04103	CYNTHIA L. VERDOT	9,500
23	04/29/1998	Bank of America	01242-01432	JEROMY P. SHULL	9,500
24	04/30/1998	Bank of America	01242-01432	JEROMY P. SHULL	6,000
25	05/01/1998	Bank of America	01242-01432	JEROMY P. SHULL	1,400

1 All in violation of Title 18, United States Codes, Section 371 and Title 31, United States
2 Code, Section 5324(a)(3).

3
4 COUNT NINE: (18 U.S.C. 1956(h))

5 On or about and between October 1997 and June 1998, both dates being approximate and
6 inclusive, in the Northern District of California, the defendants

7 DENNIS FRANKLIN HUNTER,
8 ROY BRYAN MERCER, and
9 SHAUN TURNER

10 did knowingly and intentionally conspire and agree with one another, and with others known and
11 unknown to the grand jury, to commit certain offenses under Title 18,

12 United States Code, Sections 1956(a)(1)(A)(i) and 1957(a) as follows:

13 (a) to conduct and attempt to conduct financial transactions affecting interstate
14 commerce, to wit: the transfer of funds to purchase hydroponics equipment from
15 Sunlight Supply, Inc., which transactions involved the proceeds of specified
16 unlawful activity, that is, the manufacture and distribution of marijuana, in
17 violation of Title 21, United States Code 841(a)(1) with the intent to promote the
18 carrying on of such specified unlawful activity and knowing that such property
19 involved in the financial transactions represented the proceeds of some form of
20 unlawful activity, in violation of Title 18, United States Code, Section
21 1956(a)(1)(A)(i).

22 (b) to engage and attempt to engage and conduct monetary transactions in criminally
23 derived property affecting interstate commerce, to wit: the deposit of a personal
24 check, of a value greater than \$10,000, into Fidelity National Title Company
25 Escrow No. 207726, which property was derived from specified unlawful activity,
26 that is, the manufacture and distribution of marijuana, in violation of Title 21,
27 United States Code 841(a)(1), in violation of Title 18, United States Code,
28 Section 1957(a).

All in violation of Title 18, United States Codes, Sections 1956(h) and 2.

1 COUNT TEN: (18 U.S.C. 1956(a)(1)(A)(i))

2 On or about November 4, 1997, in the Northern District of California, the defendants

3 DENNIS FRANKLIN HUNTER,
4 ROY BRYAN MERCER, and
5 SHAUN TURNER

6 did knowingly and willfully conduct and attempt to conduct a financial transaction affecting
7 interstate commerce, to wit: the delivery of a personal check drawn on Humboldt Bank Account
8 No. 06-023568 in the name of SHAUN TURNER, dated November 4, 1997, in the amount of
9 \$28,000, to Sunlight Supply, Inc., Vancouver, Washington, for the purchase of hydroponics
10 equipment, which involved the proceeds of a specified unlawful activity, that is, the manufacture
11 and distribution of marijuana, with the intent to promote the carrying on of specified unlawful
12 activity, to wit, the manufacture of marijuana, and that while conducting and attempting to
13 conduct such financial transaction knew that the property involved in the financial transaction
14 represented the proceeds of some form of unlawful activity.

15 All in violation of Title 18, United States Code, Sections 1956(a)(1)(A)(I) and 2.

16 COUNT ELEVEN: (18 U.S.C. 1956(a)(1)(A)(i))

17 On or about December 2, 1997, in the Northern District of California, the defendants

18 DENNIS FRANKLIN HUNTER,
19 ROY BRYAN MERCER, and
20 SHAUN TURNER

21 did knowingly and willfully conduct and attempt to conduct a financial transaction affecting
22 interstate commerce, to wit: the wire transfer of \$16,358 from Humboldt Bank Account No. 06-
23 023568 in the name of SHAUN TURNER, to an account of Sunlight Supply, Inc., Account No.
24 0020017588, at Bank of Vancouver, Vancouver, Washington, for the purchase of hydroponics
25 equipment, which involved the proceeds of a specified unlawful activity, that is, the manufacture
26 and distribution of marijuana, with the intent to promote the carrying on of specified unlawful
27 activity, to wit, the manufacture of marijuana, and that while conducting and attempting to
28 conduct such financial transaction knew that the property involved in the financial transaction
represented the proceeds of some form of unlawful activity.

1 All in violation of Title 18, United States Code, Sections 1956(a)(1)(A)(i) and 2.

2
3 COUNT TWELVE: (18 U.S.C. 1956(a)(1)(A)(i))

4 On or about January 20, 1998, in the Northern District of California, the defendants

5 DENNIS FRANKLIN HUNTER,
6 ROY BRYAN MERCER, and
7 SHAUN TURNER

8 did knowingly and willfully conduct and attempt to conduct a financial transaction affecting
9 interstate commerce, to wit: the wire transfer of \$15,670 from Humboldt Bank Account No. 06-
10 023568 in the name of SHAUN TURNER, to an account of Sunlight Supply, Inc., Account No.
11 0020017588, at Bank of Vancouver, Vancouver, Washington, for the purchase of hydroponics
12 equipment, which involved the proceeds of a specified unlawful activity, that is, the manufacture
13 and distribution of marijuana, with the intent to promote the carrying on of specified unlawful
14 activity, to wit, the manufacture of marijuana, and that while conducting and attempting to
15 conduct such financial transaction knew that the property involved in the financial transaction
16 represented the proceeds of some form of unlawful activity.

17 All in violation of Title 18, United States Code, Sections 1956(a)(1)(A)(i) and 2.

18 COUNT THIRTEEN: (18 U.S.C. 1956(a)(1)(A)(i))

19 On or about May 1, 1998, in the Northern District of California, the defendants

20 DENNIS FRANKLIN HUNTER and
21 ROY BRYAN MERCER

22 did knowingly and willfully conduct and attempt to conduct a financial transaction affecting
23 interstate commerce, to wit: the wire transfer of \$36,400 from Bank of America Account No.
24 01080-04103 in the name of CYNTHIA L. VERDOT, to an account of Sunlight Supply, Inc.,
25 Account No. 20017588, at Bank of Vancouver, Vancouver, Washington, for the purchase of
26 hydroponics equipment, which involved the proceeds of a specified unlawful activity, that is, the
27 manufacture and distribution of marijuana, with the intent to promote the carrying on of specified
28 unlawful activity, to wit, the manufacture of marijuana, and that while conducting and attempting

1 to conduct such financial transaction knew that the property involved in the financial transaction
2 represented the proceeds of some form of unlawful activity.

3 All in violation of Title 18, United States Code, Sections 1956(a)(1)(A)(i) and 2.

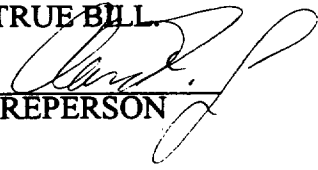
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5 COUNT FOURTEEN: 18 U.S.C. 1957(a)

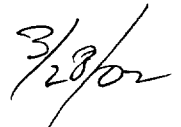
6 On or about January 9, 1998, in the Northern District of California, the defendants

7
8 ROY BRYAN MERCER and
SHAUN TURNER

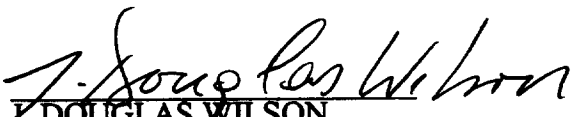
9 did knowingly engage and attempt to engage in a monetary transaction affecting interstate
10 commerce, in criminally derived property of a value greater than \$10,000, that is the deposit of
11 Check No. 107 in the amount of \$33,000, drawn on Humboldt Bank Account No. 06-023568, in
12 the name of SHAUN TURNER, into Fidelity National Title Company Escrow No. 207726,
13 concerning the purchase of 88 Cedar Ed Road, Blue Lake, California by ROY BRYAN
14 MERCER, such property having been derived from a specified unlawful activity, that is the
15 manufacture and distribution of marijuana in violation of 21 U.S.C. § 841. Title 18, United
16 States Code, Sections 1957(a) and 2.

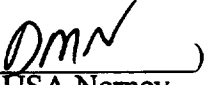
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18 DATED: March 28, 2002

A TRUE BILL

FOREPERSON

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21 DAVID W. SHAPIRO
United States Attorney

22
23 
24 J. DOUGLAS WILSON
Chief, Criminal Division

25
26 (Approved as to form: )
AUSA Nerney