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**ATF**

Here are the ATF News Clips for Tuesday, Feb. 1, 2011, Set 1 of 2

Bureau of Alcohol, Tobacco, Firearms and Explosives

**ATF News Summary**

**Tuesday, Feb. 1, 2011**

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The Arizona Republic

Feb. 1, 2011

# Phoenix-area gun store, ATF sting may be linked to border shootout

*Senator links gun buy to border agent's death*

by Dennis Wagner - Feb. 1, 2011 12:00 AM

The Arizona Republic

**Bandits who gunned down a U.S. Border Patrol agent during a December firefight near Nogales may have been armed with assault rifles purchased from a Valley gun store in conjunction with a federal sting operation and subsequently smuggled into Mexico, according to a key member of the U.S. Senate Judiciary Committee.**

**In letters to the Bureau of Alcohol, Tobacco, Firearms and Explosives, Sen. Charles Grassley, R-Iowa, suggests that negligence by federal agents who failed to keep the firearms out of Mexico may have played a part in the slaying of Agent Brian Terry, a member of the Border Patrol's elite tactical unit known as BORTAC.**

**Grassley said he had information that the AK-47s recovered at the shooting scene were traced to Project Gunrunner, an ATF program designed to stem the illegal flow of U.S. guns to Mexican narcotics cartels. It is not unusual for law-enforcement agents to allow illegal transactions to occur so that they can follow contraband, identifying ringleaders and key players in organized-crime organizations.**

**"Members of the Judiciary Committee have received numerous allegations that the ATF sanctioned the sale of hundreds of assault weapons to suspected straw purchasers, who then allegedly transported these weapons throughout the southwestern border area and into Mexico," the senator wrote in a letter Thursday to acting ATF Director Kenneth Melson.**

**"According to the allegations, one of these individuals purchased three assault rifles with cash in Glendale, Arizona, on January 16, 2010. Two of the weapons were then allegedly used in a firefight on December 14, 2010, against Customs and Border Protection agents, killing CBP Agent Brian Terry."**

A source within the justice system familiar with the case confirmed to The Arizona Republic last week that one or two weapons recovered from the border shootout had been traced to **ATF** Trading Co., a Glendale gun store, but did not confirm they were part of Project Gunrunner.

Terry and his teammates were hunting for rip crews, robbers who target illegal immigrants and smugglers, when they spotted five armed men near Rio Rico. The Republic source, who requested anonymity, said BORTAC agents called out, "Policia!" and attempted to arrest the suspects. When the shooting started, the source said, agents returned fire

with non-lethal bean bags, then bullets.

One suspect was wounded, but four others ran off in the confusion, disappearing into the night. Agents swarmed the area and conducted a search, locating several men who claimed to be illegal immigrants unconnected to the gunbattle. According to the justice-system source, FBI agents now believe that those detainees were telling the truth and that four assailants escaped across the border.

Six weeks after the murder, no one has been charged, although the source said an indictment was expected against the wounded suspect.

Grassley has requested a briefing from the ATF, adding that he had received documentation in support of the allegations.

**"There are serious concerns that the ATF may have become careless, if not negligent, in implementing the Gunrunner strategy," he wrote.**

**ATF Director Melson could not be reached for comment Monday.**

**Tom Mangan, an ATF spokesman in Phoenix, said he was "unaware of any guns allowed to go south of the border," either intentionally or inadvertently. "I am not aware of any internal investigation that's going on regarding Project Gunrunner."**

**Manuel Johnson, an FBI agent in Phoenix, declined to comment, as did the U.S. Border Patrol.**

**At a Phoenix news conference last week, the ATF and the U.S. Attorney's Office announced indictments of 34 people in connection with firearms smuggling to Mexico. Bill Newell, ATF special agent in charge for Arizona, said five separate cases, all part of Project Gunrunner, demonstrate the corruptive reach of Mexican cartels using straw buyers to acquire guns in Arizona for illegal shipment south.**

**After the news conference, Newell was asked if agents purposely allowed firearms to enter Mexico as part of an investigation. He answered, "Hell no."**

**However, he said, suspects under surveillance sometimes elude agents, which could result in guns winding up in Mexico.**

Although Grassley's letter does not specify which Glendale store sold the assault rifles used in the shooting, transaction details match information in a 53-count indictment against [ATF] identified as the leader of one Arizona smuggling ring.

In a statement Monday, [ATF] owner [ATF] said he has been cooperating with authorities. "We have worked closely in conjunction with several federal agencies," Hunter wrote.

*Reporter Robert Anglen contributed to this article.*

The Miami Herald

Jan. 31, 2011

## Senator examines gun claim in border shootout

By JACQUES BILLEAUD

Associated Press

PHOENIX -- A U.S. senator is examining a claim that two guns sold in purchases sanctioned by federal firearms agents were later used in a December shootout that left a Border Patrol agent dead near the Arizona-Mexico border.

Republican Sen. Charles Grassley of Iowa said in a letter provided Monday to The Associated Press he had received information that appears to partially corroborate the claim received by members of the Senate Judiciary Committee about the guns.

**"Members of the Judiciary Committee have received numerous allegations that the ATF sanctioned the sale of hundreds of assault weapons to suspected straw buyers, who then allegedly transported these weapons throughout the Southwest border area and into Mexico," reads a letter sent Thursday from Grassley to Kenneth Melson, acting director of the federal Bureau of Alcohol, Tobacco, Firearms and Explosives.**

The letter does not elaborate on the role possible of federal agents in the sale of the guns, and it could not be determined if the purchases were part of a sting operation.

**ATF spokesman Tom Mangan declined to comment. Grassley spokeswoman Beth Pellett Levine declined to comment on the senator's letter to Melson.**

Border Patrol Agent [ATF] was waiting with other agents on Dec. 14 in a canyon near the Arizona border city of Nogales when a shootout with bandits erupted.

[ATF] is part of an elite squad similar to a police SWAT team that was sent to the canyon 13 miles north of the border known for robberies, drug smuggling and violence.

No other agents were injured in the attack. The six suspects were being held on felony immigration charges and haven't been charged in Terry's death. All have made court appearances, but authorities declined to release their identities and hometowns.

**FBI spokesman Manuel Johnson declined to comment on the investigation into Terry's death. The agency declined an earlier Freedom of Information Act request by The Associated Press to release reports and other records of the investigation.**

Grassley said in a letter Thursday that a buyer purchased three assault rifles with cash more than a year ago in Glendale, Ariz., and two of those guns were used in the shootout in Arizona.

"These extremely serious allegations were accompanied by detailed documentation which appears to lend credibility to the claims and partially corroborates them," Grassley wrote.

**In the follow-up letter to Melson, Grassley said an ATF manager in Phoenix questioned an agent who answered questions posed by Grassley staffers about the agency's initiative to reduce the flow of firearms to Mexico.**

**The manager accused the agent of misconduct for his contacts with the judiciary committee, Grassley said.**

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**"This is exactly the wrong sort of reaction for the ATF," Grassley wrote. "Rather than focusing on retaliating against whistleblowers, the ATF's sole focus should be on finding and disclosing the truth as soon as possible."**

Reno (Nev.) Gazette Journal

Jan. 31, 2011

## **Reno gun shows adjusts after NYC investigation**

BY MARTHA BELLISLE • mbellisle@rgj.com • January 31, 2011

The Big Reno Show has toughened its rules on background checks after a 2009 investigation in Nevada revealed illegal sales at gun shows, New York City's mayor's office reported Monday.

Louis Fascio, the Reno show's promoter, signed an agreement in May stating that it would require background checks for all gun sales, develop a tag or bracelet system so security knows the check was done and kick out any vendors who violate the rules.

The agreement came as part of New York City Mayor Michael Bloomberg's announcement that his office was conducting a second investigation into illegal sales at gun shows. An earlier investigation by his office is what revealed the questionable sales in Reno. The second round of investigations also comes just after deadly shootings in Arizona, his office said.

Just 15 days after the shooting at a Tucson political event that left six dead and 20 injured, including U.S. Rep. Gabrielle Giffords, undercover agents at a Phoenix gun show were able to illegally purchase firearms and high-capacity magazines from private sellers, Bloomberg said at a news conference Monday.

The purchases were made even after the undercover buyers told the sellers that they probably wouldn't pass a background check, Bloomberg said. He showed several videos of the sales done through private sellers, including a similar Glock 19 and a high-capacity magazine allegedly used by 22-year-old Jared Loughner in Tucson.

"That sale was blatantly illegal, but it happens all the time," Bloomberg said of the Arizona video footage captured at the Phoenix gun show after the deadly shootings. "We have demonstrated how easy it is for anyone to buy a semi-automatic handgun and a high-capacity magazine, no questions asked."

Bloomberg urged Congress to ban the sale of the high-capacity magazines to the public, saying it makes it "easier for a lunatic like Jared Loughner to kill people on a massive scale."



And he called on all gun show operators to require background checks for all sales.

“Background checks take less than 2 minutes,” he said. “Who wouldn’t take to minutes to save someone’s life?”

An investigation in 2009 revealed similar illegal sales at the Big Reno Show at the Grand Sierra Resort and Casino, Bloomberg said. Undercover agents used hidden cameras to record purchases of four semi-automatic handguns from unlicensed sellers.

**Jason Post, the mayor’s deputy press secretary, said they turned the video over to the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives and their agents obtained a warrant for one of the sellers, Robert Daly, in Mesa, Ariz. They seized 799 firearms from his home, Post said. No charges have been filed, said Daly’s lawyer, Bill Elliott, but he expects the U.S. Attorney’s Office to file a motion for forfeiture at the end of this month.**

Phoenix-based Assistant U.S. Attorney Paul Rood declined to comment on the forfeiture motion, and the prosecutor who was in charge of any criminal charges did not return a phone message Monday.

Following the investigation, the mayor’s office worked with the Big Reno Show organizers to help tighten their background check requirements, and Fascio signed an agreement to implement a list of measures by Dec. 31, 2010. The show’s rules now include the background requirement for all sales.

Fascio also agreed to remove the private sellers who were the subject of the 2009 videos. Fascio did not return phone messages for comment.

The Daily Record (Rochester, N.Y.)

Jan. 31, 2011

## International arms smuggling case lands in Rochester

By Denise M. Champagne

Posted: 5:42 pm Fri, January 28, 2011



U.S. Attorney William J. Hochul Jr. announces indictments against three men on federal charges of arms smuggling. Joining Hochul were **Christopher Robinson, acting resident agent in charge, Bureau of Alcohol, Tobacco, Firearms and Explosives**; Assistant U.S. Attorneys Frank Sherman and Charles E. Moynihan; and Nicholas J. DiNicola, assistant special agent in charge, U.S. Immigration and Customs Enforcement, Homeland Security Investigations. Vasily Baziuk

Three foreign nationals are facing federal charges of smuggling banned weapons parts into the United States.

A federal grand jury in Rochester has indicted the three men, according to U.S. Attorney William J. Hochul Jr., who announced the charges today at his office in the Kenneth B. Keating Federal Building on State Street.

**Charged with conspiracy to smuggle Chinese-made 75-round capacity AK-47 rifle drum magazines into the U.S. are Gary Hyde, 41, and Paul Restorick, 61, both of the United Kingdom; and Karl Kleber, 56, of Portugal. They face up to 20 years in prison, a \$250,000 fine or both.**

**The indictment charges the men with conspiring to import more than 5,700 of the magazines from March to October 2008.** Hyde, Kleber and Restorick are accused of negotiating a deal with a Chinese firearms manufacturer to make the magazines, while representing to the United States government at the time of importation that they were manufactured in Bulgaria. The magazines were imported into the United States through Amchar Wholesale Inc., a Chili firearms dealership owned by Anthony DiChario who maintains the parts appeared to be from Bulgaria.

Hochul said DiChario, who is not charged, has provided helpful information in the investigation.

Kleber is in custody in Rochester. Hochul said he was arrested several weeks ago at Newark Liberty International Airport in New Jersey. A hearing is scheduled for him for Feb. 9 before U.S. District Court Judge Jonathan W. Feldman.

Hochul said Hyde was recently arrested in UNRELATED near a gun show and is expected to be extradited to Rochester. Hochul said Restorick is not in the United States, but indicated he is in a country that has a treaty with the United States and would honor extradition requests.

“It’s not often you get a case involving so many countries ending up in Rochester,” Hochul said. “This was the end of the trail of an international investigation.”

Police in Frankfurt, Germany also assisted.

Hochul said the federal government strictly regulates the importation of arms, ammunition and the implements of war and the State Department maintains a list of countries — of which China is one — to which it denies the importation of defense articles.

**Joining Hochul were Christopher Robinson, acting resident agent in charge, Bureau of Alcohol, Tobacco, Firearms and Explosives;** Assistant U.S. Attorneys Frank Sherman and Charles E. Moynihan; and Nicholas J. DiNicola, assistant special agent in charge, U.S. Immigration and Customs Enforcement, Homeland Security Investigations.

The Detroit Free Press

Feb. 1, 2011

## **Experts: M-80s were a real danger**

By ELISHA ANDERSON and TRESA BALDAS

Detroit Free Press Staff Writers Filed Under

That's what firearms experts concluded Monday following the arrest of Roger Stockham, 63, who on Jan. 24 was picked up by police outside the Islamic Center of America in Dearborn and charged with plotting to blow up the building.

Police said when they found him, he was wearing a black ski mask and had spray paint and more than two dozen high-end fireworks on him, including M-80s.

**"I wouldn't expect that they'd be able to level a building," said Donald Dawkins, spokesman for the Detroit office of the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives.**

Fire experts noted, though, that M-80s are very dangerous.

"We've had people blow their fingers off," Detroit senior fire prevention inspector Capt. Steven Hurst said. He usually deals with M-80s around the Fourth of July, when he seizes them because they aren't allowed in Michigan.

The amount of damage an M-80 can do depends on how and where it's placed. But a single M-80 isn't going to blow up a building, he said. Hurst said he doesn't know how many it would take to level one.

Police said Stockham, who had driven to metro Detroit from California, was caught with the explosives after Joe Nahhas, a Detroit bar owner, called police with concerns that Stockham was going to commit a terrorist attack. Nahhas said Stockham came into his bar and told him there would be an explosion that night.

"Take my word, he was serious about what he said," Nahhas said. "When someone is joking, you know that he's joking. This guy was not joking."

It wasn't Stockham's first run-in with the law. Court records show he has a lengthy rap sheet and a history of mental illness.

Documents filed with 19th District Court in Dearborn call Stockham a habitual offender. In December 1979, he was convicted of what the documents refer to as child stealing in California. In 1986, he was convicted of attempting to damage a building, also in California.

According to federal court records in Vermont, Stockham pleaded not guilty by reason of insanity to eight threat charges in the early 2000s, including threats to then-President George W. Bush. In that same report, documents prepared by the Federal Bureau of Prisons described Stockham as having bipolar disorder, posttraumatic stress disorder and a personality disorder.

"He is a Viet Nam veteran with a history of volatile threatening behavior, very angry at various persons and the United States generally," the government wrote.

His troubled past caught up with him again in Michigan when authorities found him near the mosque in Dearborn, taking photos of it last week.

He was arrested and charged with one count of threat of terrorism and one count of possessing explosives with unlawful intent. He is being held on \$500,000 bond in the Wayne County Jail. If convicted, he faces up to 20 years in prison on the terrorism charge and 15 years on the explosives charge.

A preliminary examination is set for Friday, police said.

San Francisco Bay View

Jan. 31, 2011

## **Wealthy Menlo Hotel owner charged with arson scam is back in court**

by Lynda Carson

Oakland – The wealthy Tiburon owner of Oakland’s low-income residential Menlo Hotel has been arrested and is facing 10 years in prison on suspicion of hiring someone to burn down the hotel, according to officials with the federal **Bureau of Alcohol, Tobacco, Firearms and Explosives.**

In addition to being charged with a federal felony, Menlo Hotel owner Richard Earl Singer also faces a \$125,000 fine after being charged with one count of solicitation of arson. Singer’s next scheduled court appearance is Feb. 24 in Courtroom 4 at 1301 Clay St. in Oakland.

Federal officials say that Richard Singer wanted the hotel totally burned down on Jan. 15 to collect the maximum insurance payment and agreed to pay someone \$65,000 to destroy the hotel, which remains occupied despite a recent spate of evictions. They say that two people came forward to expose the arson scam, one of them a former employee of the current management company running the hotel, known as RMD Services.

In a Jan. 19 call to RMD Services, however, an employee who identified himself only as Steven said, “RMD Services had nothing to do with the hiring of anyone to burn down the Menlo Hotel, and Ryan Nathan, the owner of RMD Services, is not available for comment at the moment.”

Nathan and RMD Services had served the residents of the Menlo Hotel 30-day notices to vacate the property on Dec. 15, 2010, demanding that the residents move out of their homes by Jan. 15, 2011, the same day that federal officials now say building owner Richard Singer wanted the building set ablaze and burned down.

A few households still reside in the Menlo Hotel, and attorney Andrew Wolff is representing at least 20 past and current residents in on-going litigation against RMD Services.

Despite the arrest of Richard Singer, evictions at the Menlo Hotel have continued.

In a new development, it appears that Oakland City Attorney John Russo may get involved and file an injunction against RMD Services in an effort to stop the illegal evictions that are in violation of Oakland's rent law known as Measure EE.

Attorney Andrew Wolff said: "I heard the news about the scam to burn down the hotel, and it was absolutely shocking and obscene. The longer I have been involved in litigation with Mr. Singer, the more my expectations have been lowered of him. At this point, I am not surprised by what happened and that he was arrested for trying to hire someone to burn down the building.

"My initial feeling was shock, but in time I feel that I am not surprised. I feel the charges are very damning. It's unbelievable what is going on there, and I am very concerned for the safety of the residents of the Menlo Hotel."

Oakland Post editor and owner Paul Cobb said, "I would like to see some kind of system set up like an Amber Alert to alert local agencies, tenants and tenant groups of bad landlords and buildings at risk of arson fire from landlords trying to collect on their insurance policies, such as in cases like this."

Tenants of the Menlo Hotel have been involved in a lawsuit against RMD Services over a lack of elevator service, bad plumbing, poor heating, roach and bedbug infestations and other problems at the low-income residential hotel. The hotel is managed and operated by RMD for Richard Singer.

Ryan Nathan is the founder of RMD Services I, LLC; RMD Services II, LLC; and Second Chance Housing, a service provider that Nathan claims has nonprofit status as a 501(c)(3) charity organization, the organization's EIN number being 83-0491483.

Among other properties, RMD Services I, LLC, is currently managing and maintaining the Menlo Hotel and Ridge Hotel in Oakland for the Prize Group, LLC, a corporation owned by Richard Singer with an office in San Francisco. Richard Singer also owns the Hotel Des Arts and Olympic Hotel in San Francisco and other properties.

According to records, 70-80 residents of the Ridge Hotel have also filed suit against RMD Services for poor housing conditions at that residential hotel.

Richard Singer appeared in Oakland's U.S. District Court on Thursday, Jan. 20, for a detention hearing on the one count of solicitation of arson, a federal felony. He was released from jail on bail that evening after he surrendered his passport and posted a \$700,000 bond secured by his property.

An additional \$500,000 unsecured bond was posted by his wife, Patricia Singer, and his mother, Gloria Singer, as

co-signers, on Jan. 20, also as part of his bail.

Singer is a wealthy man who resides in the hills of Tiburon on Mark Terrace in a four-bedroom home worth \$2.1 million, with a swimming pool in the backyard.

He had made news earlier this month when the FBI reported that a conversation between Singer and the whistleblower who revealed the arson scheme had been recorded. Singer “was recorded telling the informant Jan. 10 that the Hotel Menlo had no burglar alarms or fire escapes; discussing access to the roof and basement; and suggesting that firefighters might be slower to arrive if they received several false alarms first. In the final phone call Jan. 13, Singer and the informant agreed the arson would be committed Saturday,” according to the Oakland Tribune.

More evidence of Singer’s disdain for the safety and comfort of his tenants is described by former tenant Wade McAllister: “I have lived at the Menlo Hotel for around three years, am 51 years old and am the initiator of the lawsuit against the Menlo Hotel for the problems with the elevator, bedbugs, cockroaches and many other problems there. I was served an illegal eviction notice lately and moved from the hotel on Dec. 31 after being in fear of losing my life.

“There were still around 15 occupied rooms at the Menlo when I moved out. I feel that this has been a retaliatory action against me, because I am the initial person who started the lawsuit that eventually involved around 40 other tenants at the hotel. I am filing a complaint against Richard Singer with the Oakland Police Department for trying to place our lives at risk and want to sue Mr. Singer for \$80 million. I have been so frightened that I am having trouble sleeping at night. I want to teach Mr. Singer a lesson, that he cannot treat people the way he has treated us at the Menlo Hotel.”

The 30-day notices Singer had issued Dec. 15 were illegal. Under Oakland’s Measure EE, landlords are required to submit eviction notices to the Rent Adjustment Program within 10 days and inform the tenants in the notices to contact the Rent Adjustment Program for more information. RMD Services failed to meet those local requirements.

Even though the residents of the Menlo Hotel had been served 30-day notices nearly a month earlier, ABC News Channel 7 reported on Jan. 14 that an employee of RMD Services claimed no one was being evicted and that reports to the contrary were merely “bad PR” due to a misunderstanding.

Nevertheless, many tenants, including Wade McAllister, who had earlier filed suit, fled the hotel in fear even before learning of the arson scheme, and the others sought legal representation with the Eviction Defense Center in an effort to save their homes.

“I can’t understand how someone could be devious enough to try to trick these tenants out of their housing and put them on the street,” said local attorney Andrew Wolff prior to the revelation of Singer’s plans to burn down the hotel. “No one should be allowed to treat these residents in such an abusive manner. I believe that RMD Services is trying to intimidate and frighten the residents out of the hotel in such a way as to avoid paying for legally required



relocation costs, in the event that renovations take place.”

“We are not sure, but we believe that there may have been as many as 100 residents at the Menlo Hotel frightened into believing they need to move out, and it’s not fair the way the management has abused the residents there, many of whom are mentally ill or disabled. From what the tenants at the Menlo Hotel are now saying, rumors are spreading around the building that RMD Services has not paid their utility bills during the past three years, and tenants are now afraid of losing their heat, water and electricity,” said Wolff earlier in January.

With news of the arson scam, the tenants now know that Singer’s plans were far more life threatening than insect infestations, the loss of utilities and illegal eviction notices.

*Lynda Carson may be reached at [tenantsrule@yahoo.com](mailto:tenantsrule@yahoo.com).*

WREG-TV Memphis (Tenn.)

Jan. 31, 2011

## **Bomb Investigation: Details Emerge About Men Questioned**

6:28 p.m. CST, January 31, 2011

Scott.Noll@wreg.com

<http://www.wreg.com/news/wreg-men-questioned-about-bombs-story,0,6134439.story>

(Lakeland, TN 1/31/2011) Investigators say charges could come this week, after three pipe bombs were found behind a Lakeland home.

### **The Bureau of Alcohol Tobacco and Firearms has taken the lead on this case.**

The bombs were found behind the home in the 6300 Palomino.

Deputies were called after one of the devices detonated injuring a 20-year-old.

Now the WREG On Your Side Investigators are uncovering new details about the three men questioned in connection with the bombs.

It turns out, two of the three are no strangers to Shelby County courtrooms.

Investigators say they're still piecing together what the three men were doing with the three explosive devices, and other components to make bombs.

But at this point, Sheriff's Department spokesman Chip Washington says there's no evidence this is part of a larger plot.

"Based on what we've learned preliminarily, it's just three young men who were trying to find a hobby," said Washington. "I guess they decided building pipe bombs was going to be their hobby of choice."

22-year-old Robert Barlow lives at the house.

According to court records, Barlow is already under court supervision, after a judge granted him diversion on aggravated arson charges.

Arrest records say in 2009 Barlow set fire to a woman's driveway, truck and front of her home, after he got into an argument with her son over a girl.

Barlow also has pending theft and possession of drug paraphernalia cases in Shelby County.

By phone, the 22-year-old told me his parents told him not to talk to reporters.

Deputies also questioned 22-year-old Brandon Starnes in connection with the bombs.

Records show Starnes was sentenced to probation for two years in November 2009.

Police say Starnes confessed to breaking into and stealing from a storage shed.

The third man investigators questioned about the bombs is 20 year old Cameron Roland.

He suffered severe injuries to his right foot when one of the bombs went-off.

Investigators say Roland was working on the device when it detonated.

"We just don't know at this time exactly what they were thinking about," said Washington. "But we're glad we were able to catch the situation before who knows what may have happened."

Roland was listed in fair condition this afternoon.

**An ATF spokesman said a decision on charges will depend on where the case takes investigators.**

The Cypress (Texas) Times

Jan. 31, 2011

## **MOHAMAD YOUSSEF HAMMOUD SENTENCED TO 30 YEARS IN TERRORISM FINANCING CASE**

Published 01/31/2011 - 9:06 a.m. CST CHARLOTTE, N.C. - Mohamad Youssef Hammoud, 37, was resentenced Thursday to 30 years in prison on charges related to his activities of providing material support to the foreign terrorist organization, Hezbollah, from about 1995 to July 2000 in Charlotte, following a multi-agency investigation involving special agents with U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI).

Hammoud, who has remained in federal custody since his arrest on July 21, 2000, was born in Lebanon, came into the United States illegally in 1992 and lived here by virtue of three sham marriages to U.S. citizens until his arrest.

Hammoud, along with two of his brothers and 22 others, were indicted in 2000 in U.S. District Court in the Western District of North Carolina on numerous criminal counts which included the charge of providing material support to a designated foreign terrorist organization, Hezbollah.

From April to June 2002, Hammoud and one of his brothers, Chawki Hammoud, were tried before a federal jury in Charlotte on those charges. At trial, both were convicted of providing material support to Hezbollah, and on numerous other criminal counts, including conspiracy, cigarette smuggling, money laundering, racketeering, and immigration fraud.

The guilty verdicts were delivered by the jury at the end of the five-week trial on June 21, 2002, after three days of deliberation.

On Feb. 28, 2003 Trial Judge Graham C. Mullen sentenced Mohamad Hammoud to 155 years in prison. He later entered a notice of appeal, and through a three-year appeal process which ultimately carried the case to the U.S. Supreme Court, the U.S. Fourth Circuit Court of Appeals upheld all of his convictions but vacated Mullen's original sentence. The appeals court remanded the case back to the U.S. District Court for the Western District of North Carolina for reconsideration of the original sentence. Thursday's resentencing hearing was held in order to give Mohamad Hammoud and the government the opportunity to argue a variance in U.S. sentencing guidelines.

U.S. Attorney for the Western District of North Carolina Anne M. Tompkins said, "Mohamad Hammoud was a student and member of Hezbollah as a youth in his home country and came to the United States on a Hezbollah-driven mission. He loyally accomplished his mission by creating a criminal enterprise which accumulated millions of dollars in profits, purchased businesses in the U.S., preached radical Muslim fundamentalism as he led a clandestine terrorist cell in Charlotte, raised funds for the cause, and saw that the funds were delivered to Hezbollah leadership in Lebanon. His guilty verdicts rendered by the jury were upheld by the Supreme Court of the United States. During his time of imprisonment while he was awaiting trial, he ordered the murder of the then prosecuting attorney and the bombing of Charlotte's federal courthouse. He continues to this day to pose no less a threat to our country and our citizens. Today's sentence is fair. It is a significant sentence for a convicted terrorist. We thank the law enforcement, prosecutors, jury, and the courts for their work involved in the case along the way. Clearly, the American justice system has once again fairly and justly dealt with a person who is a proven threat to the very fabric of our society."

This resentencing hearing, the trial of the case in 2002 and the full appeals process represent the successful prosecution of 18 defendants for their involvement in the operation of a Hezbollah terrorist fund-raising cell in Charlotte. According to the court record, Mohamad Hammoud led a cigarette smuggling organization which was responsible for the illegal smuggling of over \$8 million worth of cigarettes from North Carolina to Michigan during the late 1990s. Testimony and trial evidence showed that some of the profits from the cigarette sales were sent to Hezbollah in Lebanon by Hammoud. The 2002 trial was the first in the country of a federal "material support to a designated terrorist organization" charge. The investigation and prosecution involved law enforcement cooperation at every level: state, federal, and international, involving the substantial assistance of Canadian intelligence officials.

First Assistant U.S. Attorney David A. Brown, who argued the case before Judge Mullen Thursday, said, "Mohamad Hammoud stands today as an enemy combatant who continues to be successfully removed from the front lines. Today's sentence is fair because Hammoud's proven acts call for this sentence. He earned this sentence. More importantly, it is fair because the American people deserve to be free of fear of any retaliatory efforts by Hammoud. The collective experiences of the American people since September 11, 2001 stand as constant reminders that leaders and groups such as Hammoud and his local terrorist cell, still represent the greatest threat to American citizens."

In addition to ICE HSI, this case was investigated by agents and officers of the Federal **Bureau of Investigation**, **Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)**, U.S. Citizenship and Immigration Services (USCIS), Internal Revenue Service (IRS) Criminal Investigations, the Charlotte-Mecklenburg Police Department, and the Iredell County Sheriff's Office in North Carolina. These law enforcement agencies received substantial assistance from the Canadian Security Intelligence Service and the Royal Canadian Mounted Police.

The original prosecution team included former Assistant U.S. Attorneys Kenneth D. Bell and D. Scott Broyles, along with former Trial Attorney Martha Rubio of what was then known as the Justice Department's Terrorism and Violent Crime Section. The resentencing hearing was handled by First Assistant U.S. Attorney David A. Brown and Assistant U.S. Attorney Craig D. Randall.

Jan. 31, 2011

## **Albuquerque ATF Explosives Detection Canines Play Major Role at Super Bowl XLV**

*Albuquerque Handler-Canine Team Helps Arlington Prepare For Game day*

DALLAS, Jan. 31, 2011 /PRNewswire-USNewswire/ -- Super Bowl brings together the best teams in football, and the **Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has brought its best K-9 teams to North Texas.** Deputy United States Marshal Todd Kozuszko and K-9 Hope, one of 25 K-9 teams, are here to provide security for Super Bowl XLV on Feb. 6.

**"Everything's bigger in Texas and this Super Bowl is no exception. With more than 100 specially trained personnel, ATF has more resources dedicated to this Super Bowl than in previous years," said Dallas ATF Special Agent in Charge Robert Champion. "No one agency can secure the hundreds of thousands of fans who will be in the Dallas area this week. The ATF canines are just one of the many tools law enforcement has in place to assure public safety."**

Kozuszko and Hope are based in Albuquerque with the United States Marshals Service and will conduct security sweeps at this year's Super Bowl to locate any type of explosive, firearm or ammunition that may be in close proximity to the stadium or other venue relating to the big game.

ATF certified K9s are paired with special agents or local law enforcement officer handlers who are working side-by-side with other public safety officers to keep the football teams and fans safe. ATF has used its explosives detecting canines at other special events including the Republican and Democratic National Conventions, the Presidential Inauguration, the G-8, the World Series, NASCAR, the 2002 Salt Lake City Olympics and of course, previous Super Bowls.

ATF's program, which began in 1986, uses only Labrador retrievers. The dogs are supplied by the Guiding Eyes for the Blind, the Guide Dog Foundation, and Canine Companions for Independence. These specialty canines, with their handlers, attend a 10-week training program conducted at the ATF National Canine Training and Operations Center in Front Royal, Va. ATF trains canines for numerous federal agencies, including the United States Marshals Service. Upon completion of this course, the canines will be able to detect a variety of explosive compounds and materials that could be used in an explosive device. The canines can also detect firearms and ammunition and are used in the more traditional protective search and sweep operations. Once the canine and the handler complete the ATF basic training course, they begin their field work and continue to train on a daily basis.

More information on ATF and its programs can be located at [www.atf.gov](http://www.atf.gov).

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SOURCE Bureau of Alcohol, Tobacco, Firearms and Explosives



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## Home field advantage

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Lewisville makes most of host committee

By Heather M. Goodwin, hgoodwin@acnpapers.com

The countdown to Super Bowl XLV continues, and Lewisville is making the most of its role as a member city.

Lewisville is one of 12 member cities on the North Texas Super Bowl Host Committee. The committee was responsible for planning and ensuring the readiness of North Texas to host the first Super Bowl in the Cowboys' new stadium. As a member city Lewisville has also worked to give its residents the Super Bowl experience in their own backyard.

“Recently, we put up flags around the city that have Super Bowl XLV on them. We also have shirts with ‘Lewisville’ written on them and the Super Bowl logo,” said James Kunke, community relations and tourism director. “We really want to get people in the feel for the Super Bowl – we’re hoping to create a ‘Super Bowl’ atmosphere.”

The city has already hosted Super Bowl-themed events to get residents in the spirit. On Saturday, Vista Ridge Mall and Lewisville’s Convention and Visitors Bureau hosted a “Pre-Bowl Pop Bash Fashion Show.” Steve Kemble, radio personality on 103.7 lite fm, emceed the show. Kemble presented style ideas for every member of the family from “game-day” fashion to special occasion fashion. The show also included pre-bowl makeovers by representatives from Clinique. In addition, the Dallas Cowboy Pro Shop showcased Super Bowl XLV clothing and gear.

“We had a really good turnout for the fashion show,” Kunke said. “Every seat was filled, and we had people standing just to be a part of it. I also thought Steve did a great job of emceeing the event.”

The city is also in the middle of its football film festival. As part of its pre-bowl pop bash, the city is showing some all-time favorite football-themed movies on the big screen at the Medical Center of Lewisville Grand Theater. The movies include recent and classic films.

On Wednesday, the MCL Grand will show “Heaven Can Wait.” The series wraps up on Thursday with a showing of “Rudy.”

Admission is free, but a ticket is required. Tickets can be picked up at Fred Herring Recreation Center, 191 Civic Circle, and Memorial Park Recreation Center, 1950-B S. Valley Parkway. Concessions will be on sale during each showing.

On Thursday, residents will have the chance to see two former NFL players. Kyle Turley, former New Orleans Saints lineman turned power-country band member, will perform in a 9 p.m. concert at Hat Tricks Sports Bar & Grill, 101 E. Corporate Drive. Also in attendance will be Hat Tricks owner, Joe Avezzano, a former special teams coach for the Dallas Cowboys. There is no advanced ticketing for the concert, but there will be a \$5 cover charge Thursday night.

Also on Thursday, Lewisville will be the spotlight city at the Super Bowl’s media center in downtown Dallas. More than 4,000 registered members of the media are expected to attend the event. Kunke also said Lewisville has more than 40 volunteers who will attend the NFL experience at the Dallas Convention Center.

“We feel like buying into the host committee has been a good investment,” Kunke said. “This was a good long-term investment into tourism for the city. Our hotels are booking rooms, but the bigger reward is elevating North Texas and Lewisville nationally. We want tourists to choose North Texas for their vacation destination, and we want to make Lewisville more attractive to them.”

Even though tickets to the actual game might be out of reach for most Lewisville residents, there will be two Lewisville employees at the game. **Terry McGrath, division chief for the Lewisville Fire Department, and his K-9 partner, Aretha will be part of the Super Bowl security. McGrath is a deputized U.S. Marshal as a task force agent for the US Bureau of Alcohol, Tobacco, Firearms and Explosives. Aretha is trained and certified by the ATF in explosives detection. In the past, McGrath and Aretha have assisted with security at the Texas Motor Speedway, the 2010 NBA All Star Game and the 2008 Super Bowl in Phoenix.**

PRNewswire

Jan. 31, 2011

## **Mayor Bloomberg Announces Results of Undercover Investigation Into Firearms Sales at Arizona Gun Show**

*Two Sellers Sold Guns to Undercover Buyers, Even After Buyers Said I probably couldn't pass a background check"*

Previous Investigation Yields Major Changes

New Undercover Video Available at [www.gunshowundercover.org](http://www.gunshowundercover.org)

NEW YORK, Jan. 31, 2011 /PRNewswire-USNewswire/ -- Mayor Michael R. Bloomberg today announced the results of a New York City undercover investigation of gun sales at the Crossroads of the West Gun Show in Phoenix, Arizona. The investigation proves on video how easy it is to obtain firearms with high capacity magazines at gun shows, even for those who tell sellers that they probably couldn't pass a background check. A Glock pistol with a 33-round extended magazine, like the weapon used in Tucson, was legally purchased with no background check – exposing a dangerous gap in our existing federal gun laws. Two other semi-automatic pistols were purchased with no checks even after sellers were told by undercover buyers that they probably could not pass a background check; under federal law the sellers should have stopped the sale. The videos are available at: [www.gunshowundercover.org](http://www.gunshowundercover.org). The Mayor also announced that the City's first undercover investigation of gun shows had led to several major developments, including the seizure of 799 guns from a so-called "occasional seller" and improvements in policy at some gun shows.

"We have demonstrated how easy it is for anyone to buy a semiautomatic handgun and a high capacity magazine, no questions asked," said Mayor Bloomberg. "This country must take two simple steps to stop more of the 34 murders that occur with guns every day: make every gun sale subject to a background check, and make sure the background check system has all the required records in it. Congress should act now, but gun show operators shouldn't wait. They can do the right thing today by making sure that every gun sale at their shows is subject to a background check. Four of the seven gun shows we investigated in 2009 have agreed to make that reform, and there is no doubt it will save lives."

Investigators Bought Glock in a Legal Sale with No Checks

On January 23, 2011, undercover investigators working for the City of New York attended the Crossroads of the World gun show in Phoenix. One investigator purchased a Glock 9 mm semiautomatic pistol without a background check. Because the gun dealer is a private seller and not a federally licensed firearms dealer, no background check was required and the transaction was apparently legal, assuming the seller was, in fact, an "occasional seller." This gap in federal law that enables private sellers to sell guns without background checks is sometimes called the Gun Show Loophole because such sellers congregate at gun shows. The investigator also purchased 33-round extended magazines for the Glock from a separate seller – also legal because the 1994 law that banned such sales expired in 2004.

Gun shows have been found to be major sources of guns used in crimes. According to the ATF, 30 percent of guns involved in federal illegal gun trafficking investigations are connected to gun shows. Because no records are kept, guns sold by private sellers at gun shows become virtually untraceable.

Investigators Bought Two Other Guns with No Checks, Even After Undercover Buyers Said, "I Probably Couldn't Pass a Background Check"

Two private sellers failed integrity tests by illegally selling guns to an undercover investigator. Each seller sold a 9 mm semiautomatic pistol, one Sig Sauer and one Smith & Wesson, to an undercover investigator even after he declared that he "probably couldn't pass" a background check. That statement should have immediately stopped the sale because even though occasional sellers are not required to run background checks using the FBI database, it is a federal felony for them to sell guns to people they have reason to believe are prohibited purchasers.

Update from 2009 Undercover Gun Show Investigation: Reforms at Four of Seven Shows

In 2009, the City of New York conducted a similar investigation and documented problems at seven gun shows in three states. Investigators found private dealers who sold to those who said they could not pass a background check, including two sellers who failed at multiple shows. In total, 19 of the 30 private sellers approached in 2009 failed the test.

Since the 2009 investigation, four of the seven gun shows documented on video have changed their practices.

The operator of the Big Reno Show, and the owner of the venue, the Grand Sierra Resort and Casino, have each signed agreements with the City of New York agreeing to end no-background check gun sales. The Big Reno Show is one of the nation's largest gun shows. It has 1,300 tables of exhibits; at the time of the investigation there were 120 private sellers at the show offering 1,700 guns for sale.

The operator of the Big Reno Show has also prevented any seller caught breaking the law in the undercover investigation from returning to the show. The agreement stipulates that all sales by private party sellers will be processed through licensed gun dealers who will perform background checks.

Bill Goodman's Gun and Knife Shows promotes three of the seven shows visited by the City in 2009, they were held at the Hara Arena and Sharonville Convention Center in Ohio and at the Tennessee State Fairgrounds in Nashville. The promoter has ended no-background check sales at all 34 shows that he promotes.

**In 2009, the City turned over all of its investigative materials on illegal sales to the Bureau of Alcohol, Tobacco Firearms and Explosives (ATF). One of the sellers caught on tape at the Big Reno gun show, Robert Daly, was the subject of an ATF search warrant in July 2010. When the warrant was executed at Daly's home in Mesa, Arizona, ATF agents seized 799 guns. The Justice Department has charged him with illegally selling these guns at gun shows.**

About the Investigation

A team of investigators supervised by the firm Kroll, a global leader in business intelligence and investigations, visited the Crossroads of the West Gun Show in Phoenix, Arizona on January 23. Every investigator who participated in the integrity tests was required to complete an intensive training program designed and administered by Kroll.

[www.nyc.gov](http://www.nyc.gov)

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SOURCE The City of New York: Office of the Mayor

The New York Times

The New York Times

Jan. 30, 2011

## **New York City Investigates Arizona Gun Show**

By MARC LACEY

PHOENIX — Weeks after a shooting left six dead and 13 injured in Tucson, New York City sent undercover investigators to an Arizona gun show and found instances in which private sellers sold semiautomatic pistols even after buyers said they probably could not pass background checks, city officials said.

The investigation, part of an effort by Mayor Michael R. Bloomberg's administration to crack down on illegal gun sales nationwide, took place Jan. 23 at the Crossroads of the West Gun Show in Phoenix, officials said.

“The background check system failed in Arizona, it failed in Virginia and it fails in states around the country,” said John Feinblatt, an adviser to Mr. Bloomberg. “If we don't fix it now, the question is not whether another massacre will occur, but when.”

Private, unlicensed sellers are not required to run federal background checks, but it is a violation of federal law to sell guns to people if sellers suspect they are felons or mentally ill or are otherwise prohibited from buying. In the case of Jared L. Loughner, who is accused of opening fire on the crowd in Tucson on Jan. 8, the gun used in the shootings was bought at a licensed gun dealer, and he passed a background check, the authorities said.

In two instances, the New York undercover officers specifically said before buying a gun, “I probably couldn't pass a background check,” but were still sold guns, city officials said.

In a third case, an investigator bought a Glock pistol and two high-capacity magazines like the ones used in the Tucson shooting. Such purchases were made without any background check but were perfectly legal.

Mr. Bloomberg's office, which will release details of the undercover investigation on Monday, has for years pushed for tighter firearms laws. Since the Tucson shooting, Mr. Bloomberg has enlisted in his effort Daniel Hernandez, an intern in the office of Representative Gabrielle Giffords of Arizona. The congresswoman was the most seriously wounded, and Mr. Hernandez held her until emergency personnel arrived.

Crossroads of the West holds dozens of gun shows annually, in Arizona, California, Nevada and Utah. “When we find someone who isn't complying with the law, we ask them to leave or don't allow them back,” said Bob Templeton, president of the gun show.

After similar transgressions were uncovered at gun shows in other states, some operators entered into agreements with New York City requiring that private sellers arrange background checks of all gun buyers.

According to a transcript from one investigator's purchase of a Sig Sauer pistol at the Phoenix show, the exchange went like this:

Investigator: "So, you're not one of those, you know, dealer guys, right?"

Seller: "No. No tax, no form, you don't have to do transfers or nothing."

Investigator: "Yeah, yeah."

Seller: "Just see an Arizona ID and that's it with me."

Investigator: "So no background check?"

Seller: "No."

Investigator: "That's good, because I probably couldn't pass one, you know what I mean?"

The seller sold the gun for \$500.

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