

UNITED STATES DISTRICT COURT
 FOR THE EASTERN DISTRICT OF NORTH CAROLINA
 WESTERN DIVISION

NO. 5:09cr112-BR (1)

FILED IN OPEN COURT
 JM 4-22-09 *ell*
 Dennis P. Ravaroni, Clerk
 US District Court
 Eastern District of NC

UNITED STATES OF AMERICA)
)
 v.) I N D I C T M E N T
)
 JOHNNY SHERWOOD GASKINS)

The Grand Jury Charges that:

[Structuring transactions to evade
 reporting requirements;
 31 U.S.C. § 5324(a)(3)]

COUNT ONE

From on or about April 30, 2004, continuing up to and including on or about May 3, 2004, within the Eastern District of North Carolina, JOHNNY SHERWOOD GASKINS, defendant herein, for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations prescribed thereunder, did structure and assist in structuring, and attempt to structure and assist in structuring transactions with one or more domestic financial institutions, by structuring deposits at RBC Centura Bank as follows:

<u>Date</u>	<u>Bank/Branch</u>	<u>Transaction</u>
Friday April 30, 2004	RBC Centura Clark Avenue	Deposit of \$9,980.00 in currency into account number 217469756
Monday May 3, 2004	RBC Centura Raleigh Main	Deposit of \$9,747.00 in currency into account number 217469756

All in violation of Title 31, United States Code, Sections 5324(a)(3) and 5324(d), and Title 31, Code of Federal Regulations, Section 103.11.

COUNT TWO

On or about May 27, 2004, within the Eastern District of North Carolina, JOHNNY SHERWOOD GASKINS, defendant herein, for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations prescribed thereunder, did structure and assist in structuring, and attempt to structure and assist in structuring transactions with one or more domestic financial institutions, by structuring deposits at RBC Centura Bank as follows:

<u>Date</u>	<u>Bank/Branch</u>	<u>Transaction</u>
Thursday May 27, 2004	RBC Centura Raleigh Main	Deposit of \$9,980.00 in currency into account number 212112848
Thursday May 27, 2004	RBC Centura Cameron Village	Deposit of \$9,980.00 in currency into account number 217469756

All in violation of Title 31, United States Code, Sections 5324(a)(3) and 5324(d), and Title 31, Code of Federal Regulations, Section 103.11.

COUNT THREE

From on or about June 18, 2004, continuing up to and including on or about June 21, 2004, within the Eastern District of North Carolina, JOHNNY SHERWOOD GASKINS, defendant herein, for the purpose of evading the reporting requirements of Title 31, United

States Code, Section 5313(a), and the regulations prescribed thereunder, did structure and assist in structuring, and attempt to structure and assist in structuring transactions with one or more domestic financial institutions, by structuring deposits at RBC Centura Bank as follows:

<u>Date</u>	<u>Bank/Branch</u>	<u>Transaction</u>
Friday June 18, 2004	RBC Centura Raleigh Main	Deposit of \$9,990.00 in currency into account number 217469756
Monday June 21, 2004	RBC Centura Raleigh Main	Deposit of \$9,995.00 in currency into account number 217469756

All in violation of Title 31, United States Code, Sections 5324(a)(3) and 5324(d), and Title 31, Code of Federal Regulations, Section 103.11.

COUNT FOUR

From on or about July 6, 2004, continuing up to and including on or about July 9, 2004, within the Eastern District of North Carolina, JOHNNY SHERWOOD GASKINS, defendant herein, for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations prescribed thereunder, did structure and assist in structuring, and attempt to structure and assist in structuring transactions with one or more domestic financial institutions, by structuring deposits at RBC Centura Bank as follows:

<u>Date</u>	<u>Bank/Branch</u>	<u>Transaction</u>
Tuesday July 6, 2004	RBC Centura Raleigh Main	Deposit of \$9,995.00 in currency into account number 217469756
Thursday July 8, 2004	RBC Centura Raleigh Main	Deposit of \$2,700.00 in currency into account number 212112848
Thursday July 8, 2004	RBC Centura Cameron Village	Deposit of \$9,540.00 in currency into account number 217469756
Friday July 9, 2004	RBC Centura Raleigh Main	Deposit of \$6,110.00 in currency into account number 217469756
Friday July 9, 2004	RBC Centura Raleigh Main	Deposit of \$9,995.00 in currency into account number 217469756

All in violation of Title 31, United States Code, Sections 5324(a)(3) and 5324(d), and Title 31, Code of Federal Regulations, Section 103.11.

COUNT FIVE

From on or about August 20, 2004, continuing up to and including on or about August 23, 2004, within the Eastern District of North Carolina, JOHNNY SHERWOOD GASKINS, defendant herein, for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations prescribed thereunder, did structure and assist in structuring, and attempt to structure and assist in structuring transactions with one or more domestic financial institutions, by structuring deposits at RBC Centura Bank as follows:

<u>Date</u>	<u>Bank/Branch</u>	<u>Transaction</u>
Friday August 20, 2004	RBC Centura Ashton Square	Deposit of \$9,700.00 in currency into account number 217469756
Monday August 23, 2004	RBC Centura Raleigh Main	Deposit of \$9,900.00 in currency into account number 217469756

All in violation of Title 31, United States Code, Sections 5324(a)(3) and 5324(d), and Title 31, Code of Federal Regulations, Section 103.11.

COUNT SIX

From on or about September 6, 2005, continuing up to and including on or about October 17, 2005, within the Eastern District of North Carolina, JOHNNY SHERWOOD GASKINS, defendant herein, for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations prescribed thereunder, did structure and assist in structuring, and attempt to structure and assist in structuring transactions with one or more domestic financial institutions, by structuring deposits at RBC Centura Bank as follows:

<u>Date</u>	<u>Bank/Branch</u>	<u>Transaction</u>
Tuesday September 6, 2005	RBC Centura Raleigh Main	Deposit of \$9,980.00 in currency into account number 810019448
Wednesday September 7, 2005	RBC Centura Cameron Village	Deposit of \$9,980.00 in currency into account number 810019448
Thursday September 8, 2005	RBC Centura Raleigh Main	Deposit of \$9,880.00 in currency into account number 810019448
Friday September 9, 2005	RBC Centura North Hills	Deposit of \$9,980.00 in currency into account number 810019448

<u>Date</u>	<u>Bank/Branch</u>	<u>Transaction</u>
Monday September 12, 2005	RBC Centura Pleasant Valley	Deposit of \$9,990.00 in currency into account number 810019448
Tuesday September 13, 2005	RBC Centura Cameron Village	Deposit of \$9,990.00 in currency into account number 810019448
Wednesday September 14, 2005	RBC Centura Smithfield Main	Deposit of \$9,980.00 in currency into account number 810019448
Thursday September 15, 2005	RBC Centura Raleigh Main	Deposit of \$9,980.00 in currency into account number 810019448
Friday September 16, 2005	RBC Centura Clayton Main	Deposit of \$9,990.00 in currency into account number 810019448
Monday September 19, 2005	RBC Centura North Hills	Deposit of \$9,980.00 in currency into account number 810019448
Tuesday September 20, 2005	RBC Centura Raleigh Main	Deposit of \$9,980.00 in currency into account number 810019448
Wednesday September 21, 2005	RBC Centura Raleigh Main	Deposit of \$9,980.00 in currency into account number 810019448
Thursday September 22, 2005	RBC Centura Cameron Village	Deposit of \$9,980.00 in currency into account number 810019448
Friday September 23, 2005	RBC Centura Raleigh Main	Deposit of \$9,600.00 in currency into account number 810019448
Thursday September 29, 2005	RBC Centura Raleigh Main	Deposit of \$9,680.00 in currency into account number 212112848
Tuesday October 4, 2005	RBC Centura Raleigh Main	Deposit of \$4,680.00 in currency into account number 217469756
Wednesday, October 5, 2005	RBC Centura Raleigh Main	Deposit of \$8,500.00 in currency into account number 217469756
Thursday October 6, 2006	RBC Centura Cameron Village	Deposit of \$9,500.00 in currency into account number 217469756

<u>Date</u>	<u>Bank/Branch</u>	<u>Transaction</u>
Tuesday October 11, 2005	RBC Centura Cameron Village	Deposit of \$9,600.00 in currency into account number 217469756
Wednesday October 12, 2005	RBC Centura Raleigh Main	Deposit of \$9,090.00 in currency into account number 217469756
Thursday October 13, 2005	RBC Centura North Hills	Deposit of \$8,900.00 in currency into account number 217469756
Friday October 14, 2005	RBC Centura Smithfield Main	Deposit of \$9,855.00 in currency into account number 217469756
Monday October 17, 2005	RBC Centura Raleigh Main	Deposit of \$9,980.00 in currency into account number 217469756

All in violation of Title 31, United States Code, Sections 5324(a)(3) and 5324(d), and Title 31, Code of Federal Regulations, Section 103.11.

COUNT SEVEN

From on or about October 24, 2006, continuing up to and including on or about October 25, 2006, within the Eastern District of North Carolina, JOHNNY SHERWOOD GASKINS, defendant herein, for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations prescribed thereunder, did structure and assist in structuring, and attempt to structure and assist in structuring transactions with one or more domestic financial institutions, by structuring deposits at RBC Centura Bank as follows:

<u>Date</u>	<u>Bank/Branch</u>	<u>Transaction</u>
Tuesday October 24, 2006	RBC Centura Raleigh Main	Deposit of \$9,900,00 in currency into account number 212112848
Wednesday October 25, 2006	RBC Centura Cameron Village	Deposit of \$9,000.00 in currency into account number 217469756

All in violation of Title 31, United States Code, Sections 5324(a)(3) and 5324(d), and Title 31, Code of Federal Regulations, Section 103.11.

FORFEITURE ALLEGATION

1. The allegations contained in Counts One through Seven of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture herein.


2. Upon conviction of one or more of the offenses alleged in Counts One through Seven of this Indictment, JOHNNY SHERWOOD GASKINS, defendant herein, shall forfeit to the United States pursuant to Title 31, United States Code, Section 5317(c)(1), all property, real and personal, involved in the offenses, and all property traceable thereto.

3. The property subject to forfeiture pursuant to paragraph two above shall include, but not be limited to, a sum of money equal to Three Hundred Fifty-five Thousand Five Hundred Sixty-seven and 00/100 Dollars (\$355,567.00) in United States currency, in that such sum in the aggregate constitutes the proceeds derived from the criminal activity alleged in Counts One through Seven, for which the defendant JOHNNY SHERWOOD GASKINS is liable.

4. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant, cannot be located upon the exercise of due diligence; has been transferred or sold to or deposited with a third person; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 31, United States Code, Section 5317(c)(1)(B), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in accordance with Title 31, United States Code, Section 5317(c)(1), Title 28, United States Code, Section 2461(c), and Rule 32.2, Federal Rules of Criminal Procedure.





CLIFTON T. BARRETT
Special Attorney to the United
States Attorney General