IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
JUN - 3 2003
DAVID J. MALAND, CLERK
BY DEPUTY

UNITED STATES OF AMERICA	§	
	§	
V.	§	NO. 6:03CR36
	§	(Judge Davis)
WILLIAM J. KRAR (01)	§	
JUDITH L. BRUEY (02)	§	
EDWARD S. FELTUS (03)	§	

SUPERSEDING INDICTMENT

COUNT 1

VIOLATION: Title 18, United States Code, Section 229 and 229A(a)(1) and Section 2 (Possession of a Chemical Weapon and Aiding and Abetting)

On or about the 10th day of April, 2003, in Smith County, in the Eastern District of Texas, WILLIAM J. KRAR and JUDITH L. BRUEY, defendants herein, aided and abetted by each other, did knowingly acquire, transfer directly or indirectly, receive, stockpile, retain, own, possess, and threaten to use a chemical weapon, namely, sodium cyanide, which is a toxic chemical not intended by the Defendants to be used for a non-prohibited purpose as that term is defined in Title 18, United States Code, Section 229F(7), in violation of Title 18, United States Code, Sections 229 and 229A(a)(1) and Section 2.

COUNT 2

VIOLATION: Title 18, United States Code, Section 922(o) and 924(a)(2) and Section 2 (Possession of a Machine Gun and Aiding and Abetting)

On or about the 10th day of April, 2003, in Smith County, in the Eastern District of

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Texas, WILLIAM J. KRAR and JUDITH L. BRUEY, defendants herein, aided and abetted by each other, did knowingly possess a machine gun, namely a .223 caliber, Colt AR-15 Assault Rifle, model SP1, serial number SP30982, in violation of Title 18, United States Code, Sections 922(o) and 924(a)(2) and Section 2.

COUNT 3

VIOLATION: Title 18, United States Code, Section 922(o) and 924(a)(2) and Section 2 (Possession of a Machine Gun and Aiding and Abetting)

On or about the 10th day of April, 2003, in Smith County, in the Eastern District of Texas, WILLIAM J. KRAR and JUDITH L. BRUEY, defendants herein, aided and abetted by each other, did knowingly possess a machine gun, namely a 9mm. caliber, SWD Inc., model M11 submachine gun, serial number 86-0008948, in violation of Title 18, United States Code, Sections 922(o) and 924(a)(2) and Section 2.

COUNT 4

VIOLATION: Title 26, United States Code, Section 5861(d) and 5871 and Title 18, United States Code, Section 2 (Possession of an Unregistered Firearm and Aiding and Abetting)

On or about the10th day of April, 2003, in Smith County, in the Eastern District of Texas, WILLIAM J. KRAR and JUDITH L. BRUEY, defendants herein, aided and abetted by each other, knowingly received and possessed a firearm, namely a silencer as defined in Title 18, United States Code, Section 921, more specifically described as an SWD Inc., model M11, firearm silencer, serial number N978, which firearm was not registered to them in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Sections

5841, 5861(d), and 5871 and Title 18, United States Code, Section 2.

COUNT 5

VIOLATION: Title 26, United States Code, Section 5861(d) and 5871 and Title 18, United States Code, Section 2 (Possession of a Destructive Device and Aiding and Abetting)

On or about the 10th day of April, 2003, in Smith County, in the Eastern District of Texas , WILLIAM J. KRAR and JUDITH L. BRUEY, defendants herein, aided and abetted by each other, knowingly received and possessed a firearm, namely a destructive device as defined in Title 26, United States Code, Section 5845 (a) and (f), more specifically the components of an improvised explosive device made from a galvanized pipe, end caps, fuse, and explosive powder, which device was not registered to them in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871 and Title 18, United States Code, Section 2.

COUNT 6

VIOLATION: Title 18, United States Code, Section 922(k) and 924(a)(1)(B) and Section 2 (Possession of a Firearm with Obliterated Serial Number and Aiding and Abetting)

On or about the 10th day of April, 2003, in Smith County, in the Eastern District of Texas, WILLIAM J. KRAR and JUDITH L. BRUEY, defendants herein, aided and abetted by each other, knowingly possessed a firearm, namely, a Smith and Wesson 9mm. caliber, semiautomatic pistol, from which the manufacturer's serial number had been removed and obliterated, and which firearm had been transported and shipped in interstate commerce, in violation of Title 18, United States Code, Sections 922(k) and 924(a)(1)(B) and Section 2.

COUNT 7

VIOLATION: Title 18, United States Code, Section 1028(a)(1) and Section 2 (False Identification Documents and Aiding and Abetting)

On or about an unknown date, believed to be in January, 2002, in Smith County, in the Eastern District of Texas, WILLIAM J. KRAR and EDWARD S. FELTUS, defendants herein, aided and abetted by each other, knowingly and without lawful authority did transport in and affecting interstate commerce via United States Parcel Service more than five identification documents, including, but not limited to: a North Dakota birth certificate, a Social Security card, a Vermont birth certificate, a West Virginia birth certificate, a Defense Intelligence Agency Identification card, and a United Nations Multinational Force Identification Card, in violation of Title 18, United States Code, Section 1028(a)(1) and Section 2.

6/3/03
Date

Foreperson of the Grand Jury

MATTHEW D. ORWIG
UNITED STATES ATTORNEY

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EDWARD S. FELTUS (03)	§	

NOTICE OF PENALTY

COUNT 1

Violation: Title 18, United States Code, Section 229 and 229A(a)(1) and Section 2 (Possession of a Chemical Weapon and Aiding and Abetting)

Penalty: Any term of years imprisonment, a fine of not more than $250,000.00, or both. A term of supervised release of not more than five years.

Special assessment: $100.00

COUNTS 2 and 3

Violation: Title 18, United States Code, Section 922(o) and 924(a)(2) and Section 2 (Possession of a Machine Gun and Aiding and Abetting)

Penalty: A term of imprisonment of not more than ten years, a fine of not more than $250,000.00, or both. A term of supervised release of not more than three years.

Special assessment: $100.00 for each count.

COUNTS 4 and 5

Violation: Title 26, United States Code, Section 5861(d) and 5871 and Title 18, United States Code, Section 2 (Possession of an Unregistered Firearm and Aiding and Abetting)

Penalty: A term of imprisonment of not more than ten years, a fine of not more than $250,000.00, or both. A term of supervised release of not more than three years.

Special assessment: $100.00 for each count.

COUNT 6

Violation:	Title 18, United States Code, Section 922(k) and 924(a)(1)(B) and Section 2 (Possession of a Firearm with Obliterated Serial Number and Aiding and Abetting)
Penalty:	A term of imprisonment of not more than five years, a fine of not more than $250,000.00, or both. A term of supervised release of not more than three years.
Special assessment:	$100.00

COUNT 7

Violation:	Title 18, United States Code, Section 1028(a)(1) and Section 2 (False Identification Documents and Aiding and Abetting)
Penalty:	A term of imprisonment of not more than fifteen years, a fine of not more than $250,000.00, or both. A term of supervised release of not more than three years.
Special assessment:	$100.00

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