

DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO

Case No. 91CR0003

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INDICTMENT  
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THE PEOPLE OF THE STATE OF COLORADO,

Plaintiff,

v.

EDWARD IVAN MCGHEE, a/k/a DARYL WOODS;  
JAMES L. UPSHUR, JR. a/k/a RAYMOND D. WILLIAMS, JR.;  
CHRIS CHILDS a/k/a KENNETH GREEN a/k/a CHRIS JOHNSON;  
JAMES D. WILLIAMS a/k/a SAMUEL McCLANE; and  
VINCENTE RAFAEL PIERRE,

Defendants.  
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COUNT ONE: VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL ACT -- (CONDUCTING AN ENTERPRISE THROUGH A PATTERN OF RACKETEERING ACTIVITY, § 18-17-104(3), C.R.S. -- CLASS 2 FELONY)

COUNT TWO VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL ACT -- (UNLAWFUL ACQUISITION OF REAL PROPERTY WITH PROCEEDS OF RACKETEERING ACTIVITY, § 18-17-104(1)(a), C.R.S. -- CLASS 2 FELONY)

COUNT THREE: VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL ACT -- (CONSPIRACY TO VIOLATE PROVISIONS OF THE COLORADO ORGANIZED CRIME CONTROL ACT, § 18-17-104(4), C.R.S. -- CLASS 2 FELONY)

COUNT FOUR: THEFT OF MORE THAN THREE HUNDRED BUT LESS THAN TEN THOUSAND DOLLARS, § 18-4-401, C.R.S. -- (CLASS 3 FELONY)

COUNT FIVE: SECOND DEGREE FORGERY, § 18-5-103(1)(a) -- (CLASS 4 FELONY)

COUNT SIX: SECOND DEGREE FORGERY, § 18-5-103(1)(a),  
C.R.S. -- (CLASS 4 FELONY)

COUNT SEVEN: SECOND DEGREE FORGERY, § 18-5-103(1)(a),  
C.R.S. -- (CLASS 4 FELONY)

COUNT EIGHT: SECOND DEGREE FORGERY, § 18-5-103(1)(a),  
C.R.S. -- (CLASS 4 FELONY)

COUNT NINE: SECOND DEGREE FORGERY, § 18-5-103(1)(a),  
C.R.S. -- (CLASS 4 FELONY)

COUNT TEN: SECOND DEGREE FORGERY, § 18-5-103(1)(a),  
C.R.S. -- (CLASS 4 FELONY)

COUNT ELEVEN: THEFT OF RENTAL PROPERTY, § 18-4-402(1)(b),  
C.R.S. -- (CLASS 5 FELONY)

COUNT TWELVE: THEFT OF RENTAL PROPERTY, § 18-4-402(1)(b),  
C.R.S. -- (CLASS 5 FELONY)

STATE OF COLORADO                    )  
  ) ss.  
CITY AND COUNTY OF DENVER        )

Of the 1991-1992 term of the Denver District Court in the year 1992, the 1991-1992 State Grand Jurors, chosen, selected and sworn in the name and by the authority of the People of the State of Colorado, upon their oaths, present the following:

COUNT ONE

On or between October 1, 1985 and December 31, 1991, in the Counties of Denver and El Paso and triable in El Paso County, State of Colorado, Edward Ivan McGhee, a/k/a Daryl Woods, James L. Upshur Jr. a/k/a Raymond D. Williams, Jr., Chris Childs a/k/a Kenneth Green a/k/a Chris Johnson, James D. Williams a/k/a Samuel McClane, and Vincente Rafael Pierre, while employed by and associated with an enterprise, known to the Grand Jury as the FUQRA, did unlawfully, feloniously and knowingly conduct and participate directly and indirectly in the enterprise through a pattern of racketeering activity, including at least two acts defined as racketeering activity in § 18-17-103(5), C.R.S., which were related to the conduct of the enterprise, to wit:

A. Pursuant to § 18-17-103(5)(a), C.R.S., conduct defined as racketeering activity under 18 U.S.C. § 1961(1), to wit: acts of mail fraud as defined in 18 U.S.C. § 1341, and as set forth below.

1. On or between October 22, 1985 and September 30, 1987, Edward Ivan McGhee a/k/a Daryl Woods, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting to do so, took and received from a post office, an authorized depository for mail matter, and the Postal Service, thirty three envelopes with checks or warrants enclosed from the State Compensation Insurance Fund and the State Compensation Insurance Authority for a total sum of thirty-six thousand forty five dollars and seventy one cents (\$36,045.71), made payable to Daryl Woods, and knowingly caused such matter and things to be delivered by mail according to the directions thereon and at the place at which it was directed to be delivered by the person to which it was addressed.

2. On or between October 17, 1986 and April 30, 1987, Edward Ivan McGhee a/k/a Daryl Wood, and using the name of Vincente Rafael Pierre having devised and intending to devise a scheme and artifice to defraud, and for obtaining money by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting to do so, took and received from a post office, an authorized depository for mail matter, and the Postal Service, twelve envelopes with checks or warrants enclosed from the State Compensation Insurance Fund for a total sum of seven thousand seven hundred fourteen dollars and twenty nine cents (\$7,714.29),

made payable to Vincente Rafael Pierre, and knowingly caused such matter and things to be delivered by mail according to the directions thereon and at the place at which it was directed to be delivered by the person to which it was addressed.

3. On or between February 8, 1986 and June 15, 1988, James L. Upshur Jr. a/k/a Raymond D. Williams, Jr., having devised and intending to devise a scheme and artifice to defraud, and for obtaining money by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting to do so, took and received from a post office, an authorized depository for mail matter, and the Postal Service, fifty one envelopes with checks or warrants enclosed from the State Compensation Insurance Fund for a total sum of sixty one thousand seven hundred fifteen dollars and sixty four cents (\$61,715.64), made payable to Raymond D. Williams, Jr., and knowingly caused such matter and things to be delivered by mail according to the directions thereon and at the place at which it was directed to be delivered by the person to which it was addressed.

4. On or between March 27, 1988 and January 15, 1992, James L. Upshur Jr. a/k/a Raymond D. Williams, Jr., having devised and intending to devise a scheme and artifice to defraud, and for obtaining money by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting to do so, took and received from a post office, an authorized depository for mail matter, and the Postal Service, ninety seven envelopes with checks or warrants enclosed from the State Compensation Insurance Fund for a total sum of one hundred seven thousand four hundred fifty three dollars and eleven cents (\$107,453.11), made payable to James L. Upshur Jr., and knowingly caused such matter and things to be delivered by mail according to the directions thereon and at the place at which it was directed to be delivered by the person to which it was addressed.

5. On or between March 20, 1986 and April 30, 1988, Chris Childs a/k/a Kenneth Green a/k/a Chris Johnson, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting to do so, took and received from a post office, an authorized depository for mail matter, and the Postal Service, forty six envelopes with checks or warrants enclosed from the State Compensation Insurance Fund for a total sum of fifty three thousand seven hundred three dollars and fifty cents (\$53,703.50), made payable to Kenneth

Green, and knowingly caused such matter and things to be delivered by mail according to the directions thereon and at the place at which it was directed to be delivered by the person to which it was addressed.

6. On or between September 19, 1984 and December 31, 1989, Chris Childs a/k/a Kenneth Green a/k/a Chris Johnson, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting to do so, took and received from a post office, an authorized depository for mail matter, and the Postal Service, forty six envelopes with checks or warrants enclosed from the State Compensation Insurance Fund for a total sum of seventy thousand three hundred thirty-eight dollars (\$70,338.00), made payable to Chris Johnson, and knowingly caused such matter and things to be delivered by mail according to the directions thereon and at the place at which it was directed to be delivered by the person to which it was addressed.

7. On or between May 10, 1988 and March 15, 1990, James D. Williams a/k/a Samuel McClane, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting to do so, took and received from a post office, an authorized depository for mail matter, and the Postal Service, three envelopes with checks or warrants enclosed from the State Compensation Insurance Fund and the Colorado Compensation Insurance authority for a total sum of eighteen thousand four hundred seventy six dollars and sixteen cents (\$18,476.16), made payable to Samuel McClane, and knowingly caused such matter and things to be delivered by mail according to the directions thereon and at the place at which it was directed to be delivered by the person to which it was addressed.

B. Pursuant to § 18-17-103(5)(b)(II), C.R.S., conduct defined as racketeering activity, to wit: acts of theft as defined in § 18-4-401, C.R.S., and as set forth below.

1. That on or between October 22, 1985 and September 30, 1987, Edward Ivan McGhee a/k/a Daryl Woods, did unlawfully, feloniously and knowingly commit the crime of theft by unlawfully taking a thing of value, to wit: money in the form of state checks or warrants with a value of ten thousand dollars or more from the State Compensation Insurance Fund also known as the State Compensation Insurance Authority.

2. That on or between October 17, 1986 and April 30, 1987, Edward Ivan McGhee a/k/a Daryl Wood, did unlawfully, feloniously and knowingly commit the crime of theft by unlawfully taking a thing of value, to wit: money in the form of state checks or warrants with a value of three hundred dollars or more but less than ten thousand dollars from the State Compensation Insurance Fund.

3. That on or between February 8, 1986 and June 15, 1988, James L. Upshur Jr. a/k/a Raymond D. Williams, did unlawfully, feloniously and knowingly commit the crime of theft by unlawfully taking a thing of value, to wit: money in the form of state checks or warrants with a value of ten thousand dollars or more from the State Compensation Insurance Fund also known as the State Compensation Insurance Authority.

4. That on or between March 20, 1986 and April 30, 1988, Kenneth Green a/k/a Chris Childs a/k/a Chris Johnson, did unlawfully, feloniously and knowingly commit the crime of theft by unlawfully taking a thing of value, to wit: money in the form of state checks or warrants with a value of ten thousand dollars or more from the State Compensation Insurance Fund also known as the State Compensation Insurance Authority.

5. That on or between July 11, 1988 and September 30, 1989, James D. Williams a/k/a Samuel McClane, did unlawfully, feloniously and knowingly commit the crime of theft by unlawfully taking a thing of value, to wit: money in the form of state checks or warrants with a value of ten thousand dollars or more from the State Compensation Insurance Authority.

C. Additional acts of theft as defined in § 18-4-401, C.R.S., and as are set forth in count four, which is hereby incorporated by reference in this first count.

D. Pursuant to § 18-17-103(5)(b)(IV), C.R.S., conduct defined as racketeering activity, to wit: second degree forgery as defined in § 18-5-103, C.R.S. and as are set forth in counts 4 through 7 which is hereby incorporated by reference in this first count.

E. Pursuant to § 18-17-103(5)(b)(XII) conduct defined as racketeering activity, to wit acts fraud upon the department of revenue as defined in § 39-21-118, C.R.S. (19\_\_) and as set forth below:

1. On or about April 15, 1987, Edward Ivan McGhee a/k/a Daryl Woods, a person required under a title admin-

istered by the Colorado Department of Revenue, to wit: title 39, C.R.S., to file a return, to wit: a Colorado state individual income tax return, willfully failed to file such a return for the tax year 1986, in violation of § 39-21-118(3), C.R.S. (1991 Supp.) (Failure to File a Colorado State Income Tax Return for 1986 -- unclassified misdemeanor).

2. On or about April 15, 1988, Edward Ivan McGhee a/k/a Daryl Woods, a person required under a title administered by the Colorado Department of Revenue, to wit: title 39, C.R.S., to file a return, to wit: a Colorado state individual income tax return, willfully failed to file such a return for the tax year 1987, in violation of § 39-21-118(3), C.R.S. (1991 Supp.) (Failure to File a Colorado State Income Tax Return for 1987 -- unclassified misdemeanor).

3. On or about April 15, 1987, James Lincoln Upshur Jr. a/k/a James L. Upshur Jr. a/k/a Raymond D. Williams, a person required under a title administered by the Colorado Department of Revenue, to wit: title 39, C.R.S., to file a return, to wit: a Colorado state individual income tax return, willfully failed to file such a return for the tax year 1986, in violation of § 39-21-118(3), C.R.S. (1991 Supp.) (Failure to File a Colorado State Income Tax Return for 1986 -- unclassified misdemeanor).

4. On or about April 15, 1988, James Lincoln Upshur Jr. a/k/a James L. Upshur Jr. a/k/a Raymond D. Williams, a person required under a title administered by the Colorado Department of Revenue, to wit: title 39, C.R.S., to file a return, to wit: a Colorado state individual income tax return, willfully failed to file such a return for the tax year 1987, in violation of § 39-21-118(3), C.R.S. (1991 Supp.) (Failure to File a Colorado State Income Tax Return for 1987 -- unclassified misdemeanor).

5. On or about April 17, 1989, James Lincoln Upshur Jr. a/k/a James L. Upshur Jr. a/k/a Raymond D. Williams, a person required under a title administered by the Colorado Department of Revenue, to wit: title 39, C.R.S., to file a return, to wit: a Colorado state individual income tax return, willfully failed to file such a return for the tax year 1988, in violation of § 39-21-118(3), C.R.S. (1991 Supp.) (Failure to File a Colorado State Income Tax Return for 1988 -- unclassified misdemeanor).

6. On or about April 16, 1990, James Lincoln Upshur Jr. a/k/a James L. Upshur Jr. a/k/a Raymond D. Williams, a person required under a title administered by the Colorado Department of Revenue, to wit: title 39, C.R.S., to file a return, to wit: a Colorado state individual income tax return, willfully



12. On or about April 17, 1989, Chris Childs a/k/a Chris Johnson a/k/a Kenneth Green, a person required under a title administered by the Colorado Department of Revenue, to wit: title 39, C.R.S., to file a return, to wit: a Colorado state individual income tax return, willfully failed to file such a return for the tax year 1988, in violation of § 39-21-118(3), C.R.S. (1991 Supp.) (Failure to File a Colorado State Income Tax Return for 1988 -- unclassified misdemeanor).

13. On or about April 16, 1990, Chris Childs a/k/a Chris Johnson a/k/a Kenneth Green, a person required under a title administered by the Colorado Department of Revenue, to wit: title 39, C.R.S., to file a return, to wit: a Colorado state individual income tax return, willfully failed to file such a return for the tax year 1989, in violation of § 39-21-118(3), C.R.S. (1991 Supp.) (Failure to File a Colorado State Income Tax Return for 1989 -- unclassified misdemeanor).

14. On or about April 15, 1991, James Donald William a/k/a Samuel McClane, person required under a title administered by the Colorado Department of Revenue, to wit: title 39, C.R.S., to file a return, to wit: a Colorado state individual income tax return, willfully failed to file such a return for the tax year 1990, in violation of § 39-21-118(3), C.R.S. (1991 Supp.) (Failure to File a Colorado State Income Tax Return for 1990 -- unclassified misdemeanor).

In violation of § 18-17-104(1)(a), C.R.S. (violation of the Colorado Organized Crime Control Act, conducting an enterprise through a pattern of racketeering activity -- Class 2 felony) and against the peace and dignity of the People of the State of Colorado.

COUNT TWO

That on or between October 1, 1985 and December 1, 1992 in the Counties of Denver, Chaffee and El Paso and triable in El Paso County, State of Colorado, Edward Ivan McGhee, a/k/a Daryl Woods, James L. Upshur Jr. a/k/a Raymond D. Williams, Jr., Chris Childs a/k/a Kenneth Green a/k/a Chris Johnson, James D. Williams a/k/a Samuel McClane and Vincente Rafael Pierre knowingly received proceeds derived, directly and indirectly from a pattern of racketeering activity and used and invested a part of such proceeds in the acquisition of any title right interest and equity in real property to wit:

A. The pattern of racketeering activity set forth in Count One, subsections A, B, C, D and E is hereby incorporated by reference in this Count Two.

B. That some proceeds, in the form of money, of the pattern of racketeering activity as described and incorporated in subsection A of this count were knowingly directly and indirectly invested in the acquisition of title to and right, interest and equity in real property to wit: the land, structures and property interests running with the real property known as 31755 Highway 24 and 285 Chaffee County, Colorado, the location of which is further described in Chaffee County, Colorado warranty Deed No. 246515.

In violation of § 18-17-104(1)(a), C.R.S., (violation of the Colorado Organized Crime Control Act -- Investing Proceeds Gained Through a Pattern of Racketeering Activity in Real Property -- Class 2 felony) and against the peace and dignity of the People of the State of Colorado.

COUNT THREE

That on or between September 1, 1984 and January 31, 1992 in the counties of Denver, Chaffee and El Paso and triable in El Paso County, State of Colorado, Edward Ivan McGhee a/k/a Daryl Woods, James L. Upshur Jr. a/k/a Raymond D. Williams Jr., Chris Childs a/k/a Kenneth Green a/k/a Chris Johnson, James D. Williams a/k/a Samuel McClane and Vincente Rafael Pierre consumed and endeavored to violate the provisions of the Colorado Organized Crime Control Act as said provisions are set forth in § 18-17-104(1)(a) and § 18-17-104(3), C.R.S. in that said defendants conspired and endeavored to receive proceeds from a pattern of racketeering activity, directly and indirectly, and used or invested a part of said proceeds in acquiring title, right, interest and equity in real property. Said defendants further conspired and endeavored to knowingly conduct or participate directly, or indirectly in an enterprise through a pattern of racketeering activity while employed by and associated with said enterprise.

Overt acts in furtherance of said conspiracy and endeavor are as follows:

A. Those activities set forth in Count One of this indictment including that conduct specified in subsections A, B, C, D and E of Count One which are hereby incorporated by reference in this third count.

B. Those activities set forth in Count Two of this indictment including the acts specified in subsection B of Count Two which are hereby incorporated by reference in this third count.

C. Those activities set forth in counts Four, Five, Six, Seven, Eight, Nine, Ten and Eleven of this indictment which are hereby incorporated by reference in this third count.

In violation of § 18-17-104(4), C.R.S. (conspiracy to violate the provisions of the Colorado Organized Crime Control Act -- Class 2 felony) and against the peace and dignity of the People of the State of Colorado.

COUNT FOUR

That on or between October 1, 1989 and January 6, 1992, James L. Upshur Jr. a/k/a Raymond D. Williams, did unlawfully, feloniously and knowingly commit the crime of theft by unlawfully taking a thing of value, to wit: money in the form of state checks or warrants with a value of ten thousand dollars or more than the State Compensation Insurance Fund also known as the State Compensation Insurance Authority in violation of § 18-4-401, C.R.S. (theft -- Class 3 felony) and against the peace and dignity of the People of the State of Colorado.

COUNT FIVE

On or between November 15, 1986 and April 20, 1987, Edward Ivan McGhee a/k/a Daryl Woods, with the intent to defraud Colorado State Compensation Insurance Fund did unlawfully, feloniously and falsely make, complete, alter and utter written instruments which were and which purported to be and which were calculated to, become and to represent if completed the checks or warrants of the Colorado State Compensation Insurance Fund which documents did and may evidence, create, transfer, terminate and otherwise affect a legal right, interest, obligation and status in violation of § 18-5-103(1)(a), C.R.S. (Second Degree Forgery -- Class 4 felony) and against the peace and dignity of the People of the State of Colorado.

COUNT SIX

On or between February 8, 1986 and June 1, 1988 James L. Upshur Jr. a/k/a Raymond D. Williams Jr. with the intent to defraud the Colorado State Compensation Insurance Fund and the Colorado State Compensation Insurance Authority did unlawfully, feloniously and falsely make, complete, alter and utter written instruments which were and which purported to be and which were calculated to become and to represent if completed the checks or warrants of the Colorado State Compensation Insurance Fund and the Colorado State Compensation Insurance Authority which documents did and may evidence, create, transfer, terminate and otherwise affect a legal right, interest, obligation and status in violation of §18-5-103(1)(a), C.R.S. (Second Degree Forgery -- Class 4 felony) and against the peace and dignity of the People of the State of Colorado.

COUNT SEVEN

On or between March 20, 1986 and March 24, 1988 Chris Childs a/k/a Kenneth Green a/k/a Chris Johnson with the intent to defraud the Colorado State Compensation Insurance Fund and the Colorado State Compensation Insurance Authority did unlawfully, feloniously and falsely make, complete, alter and utter written instruments which were and which purported to be and which were calculated to become and to represent if completed the checks or warrants of the Colorado State Compensation Insurance Fund and the Colorado State Compensation Insurance Authority which documents did and may evidence, create, transfer, terminate and otherwise affect a legal right, interest, obligation and status in violation of § 18-5-103(1)(a), C.R.S. (Second Degree Forgery -- Class 4 felony) and against the peace and dignity of the People of the State of Colorado.

COUNT EIGHT

On or between July 7, 1987 and January 6, 1992 James D. Williams a/k/a Samuel McClane did with the intent to defraud the Colorado State Compensation Insurance Authority and the Colorado Compensation Insurance Authority did unlawfully, feloniously and falsely make, complete, alter and utter written instruments which were and purported to be and which were calculated to become and to represent if completed the checks or warrants of the Colorado State Compensation Insurance Authority and the Colorado Compensation Insurance Authority which documents did and may evidence, create, transfer, terminate and otherwise affect a legal right, interest, obligation and status in violation of § 18-5-103(1)(a), C.R.S. (Second Degree Forgery -- Class 5 felony) and against the peace and dignity of the People of the State of Colorado.



COUNT NINE

On or between November 1, 1986 and April 20, 1987 Vincente Rafael Pierre with the intent to defraud the Colorado State Compensation Insurance Fund did unlawfully, feloniously and falsely make, complete, alter and utter written instruments which were and which purported to be and which were calculated to become and to prepresent if completed the checks or warrants of the Colorado State Compensation Insurance Fund which documents did and may evidence, create, transfer, terminate and otherwise affect a legal right, interest, obligation and status in violation of § 18-5-103(1)(a), C.R.S. (Second Degree Forgery -- Class 4 felony) and against the peace and dignity of the People of the State of Colorado.

COUNT TEN

On or between January 19, 1991 and January 25, 1991 in and triable in the County of El Paso, State of Colorado, Edward Ivan McGhee a/k/a Daryl Woods having lawfully obtained possession for temporary use of a Honda EB4000 Gas generator, inventory number 2935 and a Emglo Gas Air Compressor, serial number 030890011, the personal property of Center Rental, Sales and Services which property was available only for hire did unlawfully, feloniously and knowingly fail to reveal the whereabouts of and return said property to said victim and his representative and to the person from whom the defendant received said property within seventy-two hours after the time the defendant agreed to return said property, said property being of the value of three hundred dollars or more but less than ten thousand dollars in violation of § 18-4-4-2(1)(b), C.R.S. (Theft of Rental Property -- Class 5 felony) and against the peace and dignity of the People of the State of Colorado).

COUNT ELEVEN

On or between January 19, 1991 and January 25, 1991 in and triable in the County of El Paso, State of Colorado, Chris Childs a/k/a Kenneth Green a/k/a Chris Johnson having lawfully obtained possession for temporary use of a Harper Air Chipping Hammer, model 4173, serial number 706049, and Chise, the personal property of Wagner Rents, which property was available only for hire, did unlawfully, feloniously and knowingly fails to reveal the whereabouts of and return said property to said victim and his representative and to the person from whom the defendant received said property within seventy-two hours after the time the defendant agreed to return said property, said property being of the value of three hundred dollars or more but less than ten thousand dollars, in violation of § 18-4-402(1)(b), C.R.S. (Theft of Rental Property -- Class 5 felony) and against the peace and dignity of the People of the State of Colorado.

COUNT TWELVE

On or between January 19, 1991 and January 25, 1991 in and triable in the County of El Paso, State of Colorado, Edward Ivan McGhee a/k/a Daryl Woods, having lawfully obtained possession for temporary use of a Honda Gas Generator, 400 Watt, inventory number 2359, and an Englo Gas Air Compressor, serial number 030890011, the personal property of Center Rental Sales and Service, which property was available only for hire, did unlawfully, feloniously and knowingly fails to reveal the whereabouts of and return said property to said victim and his representative and to the person from whom the defendant received said property within seventy-two hours after the time the defendant agreed to return said property, said property being of the value of three hundred dollars or more but less than ten thousand dollars, in violation of § 18-4-402(1)(b), C.R.S. (Theft of Rental Property -- Class 5 felony) and against the peace and dignity of the People of the State of Colorado.

AS TO COUNT FIVE:

TRUE BILL

14 *MS Foster*

NO TRUE BILL

0

AS TO COUNT SIX:

TRUE BILL

12 *MS Foster*

NO TRUE BILL

0

AS TO COUNT SEVEN:

TRUE BILL

12 *MS Foster*

NO TRUE BILL

0

AS TO COUNT EIGHT:

TRUE BILL

12 *MS Foster*

NO TRUE BILL

0

AS TO COUNT NINE:

TRUE BILL

12 WS Foster

NO TRUE BILL

0

AS TO COUNT TEN:

TRUE BILL

12 WS Foster

NO TRUE BILL

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AS TO COUNT ELEVEN:

TRUE BILL

12 WS Foster

NO TRUE BILL

0

AS TO COUNT TWELVE:

TRUE BILL

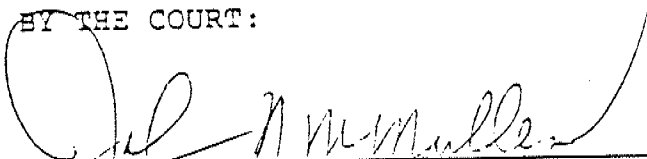
12 WS Foster

NO TRUE BILL

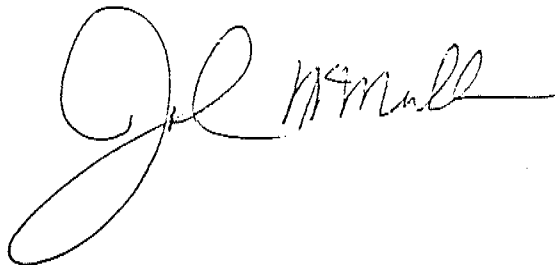
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The court orders this indictment returned and venue designated in El Paso County, State of Colorado, in the Fourth Judicial District.

BY THE COURT:

 9-4-92  
JOHN N. McMULLEN  
Chief Judge  
Second Judicial District  
State of Colorado

Bail is set in the amount of  
150,000.00 for each defendant

 9-4-92

IN THE DISTRICT COURT  
FOR THE SECOND JUDICIAL DISTRICT  
IN AND FOR THE CITY AND COUNTY OF DENVER  
STATE OF COLORADO

THE PEOPLE OF THE STATE OF COLORADO, ) Case No. 91CR0003  
)  
)  
vs. ) ARREST WARRANT  
)  
)  
VINCENTE RAFAEL PIERRE a/k/a )  
RAFAEL UPSHUR, D.O.B. 10-24-56 )  
or D.O.B. 11/24/55, SSN 086-50-4299, )  
)  
Defendant. )  
)  
)  
)

-----  
THE PEOPLE OF THE STATE OF COLORADO

TO: Any peace officer authorized by law to execute arrest warrants within the State of Colorado:

WHEREAS, the Attorney General of the State of Colorado has this day filed an Indictment in this Court charging Vincente Rafael Pierre a/k/a Rafael Upshur, D.O.B. 10/24/56, also known to use D.O.B. 11/24/55, SSN 086-50-4299, described as a black male, 5'8", 155 lbs., black hair, brown eyes, has been charged with the crime(s) of Violation of the Colorado Organized Crime Control Act (Conducting an Enterprise Through a Pattern of Racketeering), § 18-17-104(3), C.R.S. (Class 2 Felony); Violation of the Colorado Organized Crime Control Act (Unlawful Acquisition of Real Property With Proceeds of Racketeering Activity), § 18-17-104(4), C.R.S. (Class 2 Felony); Violation of the Colorado Organized Crime Control Act (Conspiracy to Violate Provisions of the Colorado Organized Crime Control Act), § 18-17-104(4) C.R.S. (Class 2 Felony); and Second Degree Forgery, § 18-5-103(1)(a), C.R.S. (Class 4 Felony); and

WHEREAS, the Court has examined the attached Indictment and has satisfied itself that there is probable cause to believe that the above-named offenses charged have been committed by the above-named person; and

WHEREAS, the Attorney General for the State of Colorado has requested that an arrest warrant be issued for the above-named



person.

THEREFORE, YOU ARE HEREBY COMMANDED to arrest Vincente Rafael Pierre a/k/a Rafael Upshur, and bring him without unnecessary delay before the nearest available judge of a county or district court.

Bail fixed by the Court in the amount of \$ 150000.00.

DATED: 9 4 92

ORDERED:

\_\_\_\_\_  
COUNTY JUDGE

\_\_\_\_\_  
CLERK, DISTRICT COURT

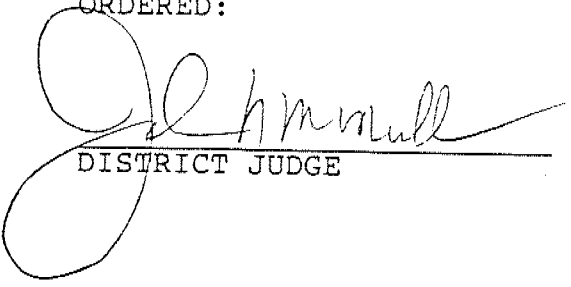
STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF DENVER )

RETURN OF WARRANT

I HEREBY CERTIFY THAT I DULY EXECUTED THIS WARRANT AS COM-  
MANDED BY ARRESTING \_\_\_\_\_

on \_\_\_\_\_, 19\_\_.

ORDERED:

  
\_\_\_\_\_  
DISTRICT JUDGE

-----  
ARRESTING OFFICER

AG Alpha No. LW WK EAAVV  
AG File No. ESP9200726

IN THE DISTRICT COURT  
FOR THE SECOND JUDICIAL DISTRICT  
IN AND FOR THE CITY AND COUNTY OF DENVER  
STATE OF COLORADO

THE PEOPLE OF THE STATE OF COLORADO, ) Case No. 91CR0003  
)  
) ARREST WARRANT  
vs. )  
)  
JAMES L. UPSHUR, JR. a/k/a JAMES )  
LINCOLN UPSHUR, a/k/a RAYMOND D. )  
WILLIAMS, D.O.B. 11/09/44 or )  
or D.O.B. 11/10/40, SSN 203-32-2447, )  
or SSN 509-46-1703, )  
)  
Defendant. )  
)

-----  
THE PEOPLE OF THE STATE OF COLORADO

TO: Any peace officer authorized by law to execute arrest war-  
rants within the State of Colorado:

WHEREAS, the Attorney General of the State of Colorado has this day filed an Indictment in this Court charging James L. Upshur, Jr. a/k/a James Lincoln Upshur a/k/a Raymond D. Williams, Jr., D.O.B. 11/09/44, also known to use D.O.B. 11/10/40, SSN 203-32-2447, also known to use SSN 509-46-1703, described as a black male, 5'10", 200 lbs., grey hair, brown eyes, has been charged with the crime(s) of Violation of the Colorado Organized Crime Control Act (Conducting an Enterprise Through a Pattern of Racketeering), § 18-17-104(3), C.R.S. (Class 2 Felony); Violation of the Colorado Organized Crime Control Act (Unlawful Acquisition of Real Property With Proceeds of Racketeering Activity), § 18-17-104(4), C.R.S. (Class 2 Felony); Violation of the Colorado Organized Crime Control Act (Conspiracy to Violate Provisions of the Colorado Organized Crime Control Act), § 18-17-104(4) C.R.S. (Class 2 Felony); Theft of More Than Three Hundred But Less Than Ten Thousand Dollars, § 18-4-401, C.R.S. (Class 3 Felony); and Second Degree Forgery, § 18-4-103(1)(a), C.R.S. (Class 4 Felony); and

WHEREAS, the Court has examined the attached Indictment and has satisfied itself that there is probable cause to believe that the above-named offenses charged have been committed by the above-named person; and

WHEREAS, the Attorney General for the State of Colorado has requested that an arrest warrant be issued for the above-named

person.

THEREFORE, YOU ARE HEREBY COMMANDED to arrest James L. Upshur, Jr. a/k/a James Lincoln Upshur a/k/a Raymond D. Williams, Jr., and bring him without unnecessary delay before the nearest available judge of a county or district court.

Bail fixed by the Court in the amount of \$ 150,000.00.

DATED: 9-4-92

ORDERED:

ORDERED:

\_\_\_\_\_  
COUNTY JUDGE



\_\_\_\_\_  
DISTRICT JUDGE

Christilla Conrad  
CLERK, DISTRICT COURT

STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF DENVER )

RETURN OF WARRANT

I HEREBY CERTIFY THAT I DULY EXECUTED THIS WARRANT AS COM-  
MANDED BY ARRESTING \_\_\_\_\_

on \_\_\_\_\_, 19\_\_.

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ARRESTING OFFICER

AG Alpha No. LW WK EAAVV  
AG File No. ESP9200723