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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CRIMINAL NO. 03-80598

Plaintiff,

HONORABLE AVERN COHN

-vs-

D-1 WILLIAM MELENDEZ, a/k/a  
"Robocop,"

VIOLATIONS: 18 U.S.C. § 241  
18 U.S.C. § 242

D-2 MATTHEW ZANI, a/k/a  
"Spike,"

18 U.S.C. § 924(c)  
18 U.S.C. § 1001

D-3 JEFFREY WEISS, a/k/a  
"Joker," a/k/a "Big Red,"

18 U.S.C. § 2

D-4 TROY BRADLEY,

D-5 CHRISTOPHER RUIZ,

D-6 TIMOTHY GILBERT,

D-7 MARK DIAZ,

D-8 JERROD WILLIS,

D-9 CHRIS GUINN,

D-10 THOMAS TURKALY,

D-11 RICARDO VILLARRUEL,

D-12 JOHN MCLEOD,

D-13 JOHN WATKINS,

D-14 DENNY BORG,

D-15 JAMES COSS,

D-16 STEPHEN PETROFF,

D-17 NICOLE RICH, and

D-18 STEPHEN PARDO,

Defendants.

U.S. DIST. COURT E.D.  
EAST DIST. MICH.  
DETROIT-FSG

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FILED

SECOND SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

INTRODUCTION

At all times pertinent to this indictment:

1. The Fourth Amendment to the United States Constitution stated: *The right of the*

*people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.*

2. The Fourteenth Amendment (§1) to the United States Constitution stated, in pertinent part: *No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.*

3. Officers with the Detroit Police Department were required to observe the Fourth and Fourteenth Amendments of the United States Constitution.

4. The defendants were officers with the Detroit Police Department.

5. The Detroit Police Department was a law enforcement agency in the City of Detroit, Michigan, empowered to enforce the laws of the State of Michigan, the County of Wayne, and the City of Detroit.

**COUNT ONE**

(18 U.S.C. § 241: Conspiracy Against Rights)

- D-1 WILLIAM MELENDEZ, a/k/a "Robocop"
- D-2 MATTHEW ZANI, a/k/a "Spike"
- D-3 JEFFREY WEISS, a/k/a "Joker," a/k/a "Big Red"
- D-4 TROY BRADLEY
- D-5 CHRISTOPHER RUIZ
- D-6 TIMOTHY GILBERT
- D-7 MARK DIAZ
- D-8 JERROD WILLIS
- D-10 THOMAS TURKALY
- D-11 RICARDO VILLARRUEL
- D-12 JOHN MCLEOD

**CHARGE**

From approximately April 29, 2000 through approximately January, 2004, in Detroit, in the Eastern District of Michigan, Southern Division, defendants WILLIAM MELENDEZ, a/k/a "Robocop," MATTHEW ZANI, a/k/a "Spike," JEFFREY WEISS, a/k/a "Joker," a/k/a "Big Red," TROY BRADLEY, CHRISTOPHER RUIZ, TIMOTHY GILBERT, MARK DIAZ, JERROD WILLIS, THOMAS TURKALY, RICARDO VILLARRUEL and JOHN MCLEOD, being police officers with the Detroit Police Department and while acting under color of the laws of the State of Michigan and City of Detroit, did willfully conspire and agree with each other and with various other unindicted co-conspirators both known and unknown to the grand jury to injure, oppress, threaten and intimidate persons in the State of Michigan in the free exercise and enjoyment of the rights secured to them by the Constitution and laws of the United States, those rights including:

- ◆ the right to be free from unreasonable search and seizure by one acting

under color of law, which includes the right not to be arrested without probable cause;

- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information;
- ◆ the right to be free from the deprivation of property without due process of law by one acting under color of law; and
- ◆ the right to be free from the intentional use of unreasonable force by one acting under color of law.

#### MANNER AND MEANS

The manner and means by which the defendants and their co-conspirators sought to accomplish the objects of their conspiracy included, among others, the following:

Defendants and their co-conspirators would attempt to identify individuals who they believed were engaging in narcotics trafficking, as well as locations from which they believed narcotics were being sold. In order to discover controlled substances, firearms, money, and other property, they would then, without a warrant or exigent circumstances, forcibly enter residences and unlawfully restrain, search, and question the occupants. They would sometimes beat the occupants in an attempt to force them to reveal the location of the contraband. They would also stop and detain individuals on the street without reasonable suspicion, unlawfully search and question those individuals, and arrest them without probable cause.

If they found narcotics, firearms or other contraband during their illegal searches, defendants would decide whom they wished to arrest. Defendants would then falsify

their police reports and commit perjury to cover up their illegal actions against the suspects and to fabricate evidence in support of the prosecution of those suspects. These false statements included claims that a firearm was discovered *outside* of a residence, rather than inside, in order to satisfy the elements of the crime of carrying a concealed weapon. Defendants would also falsely claim they chased suspects into their residences in hot pursuit to justify their illegal entry. Defendants' false statements were further intended to be used against the suspects in order to justify the arrest, detention, charging, conviction and incarceration of the suspects. In order to conceal their illegal activities and increase the apparent weight of the evidence, defendants would falsify reports by claiming that a suspect refused to make a post-arrest statement. Defendants would sometimes keep for themselves some or all of the money, drugs or firearms they discovered.

On occasions when no contraband was found, defendants would plant drugs, firearms or money, falsely claiming they found those items on or near the individual chosen for the illegal arrest.

Defendants and their co-conspirators would often intimidate the persons illegally detained with threats of violence or unlawful arrest. As instruments of intimidation they would sometimes use their firearms or other objects. The illegal searches included full searches without probable cause as well as unjustified and demeaning searches.

Defendants would take advantage of their presence in a house for investigative purposes by stealing from the occupants of the house.

In order to arrest, detain, charge, convict and incarcerate the suspects, and to avoid

detection, defendants and their co-conspirators would falsify police reports and commit perjury when called to testify in court.

The defendants and their co-conspirators perpetuated the pattern of civil rights violations committed by their fellow officers against those persons who were targeted for abuse by not bringing those abuses to the attention of their superiors, by committing perjury, by lying to federal investigators and by otherwise covering up for their fellow officers.

#### OVERT ACTS

In furtherance of the unlawful conspiracy, and to effect the objectives thereof, defendants committed the following overt acts in the City of Detroit, Eastern District of Michigan, among others:

1. On April 29, 2000, MATTHEW ZANI and CHRISTOPHER RUIZ, and others, illegally entered -- without exigent circumstances or first obtaining a search warrant -- a house at 14117 Stout by breaking a window. Once inside, they subjected Ramon Taylor and Derrick Tolbert to unlawful searches and seizures. An illegal search of the residence resulted in the discovery of marijuana and a firearm. In order to justify their actions, ZANI and RUIZ falsified their reports, claiming that Ramon Taylor threw a gun, which hit the door frame and fell into the house, and that they pursued Ramon Taylor into the house. RUIZ falsely claimed in his report that he found the marijuana outside on the porch where Ramon Taylor had been standing.

2. On May 2, 2000, MATTHEW ZANI and CHRISTOPHER RUIZ, and an unindicted co-conspirator, illegally entered -- without exigent circumstances or first

obtaining a search warrant -- a residence in the area of Central and Michigan. Once inside the house, ZANI and RUIZ subjected Tracy Brown and others to illegal searches and seizures. ZANI fondled Brown's breasts and RUIZ and ZANI stole approximately \$1,242 belonging to Brown. They falsified their reports to conceal their unlawful conduct and to increase the apparent weight of the evidence against Tracy Brown.

3. On August 28, 2000, MATTHEW ZANI, CHRISTOPHER RUIZ, JERROD WILLIS, TROY BRADLEY and Denny Borg entered a house at 4110 Joe Street and conducted a search of the premises. They arrested Raymone Porter on the second floor of the home. They attempted to justify their arrest of Porter by falsely claiming in their reports that Porter ran out of the back of the home, causing them to chase him into an alley. To fabricate evidence in support of the prosecution of Porter, they falsely claimed seeing a firearm fall from Porter's waistband after Porter jumped over a fence. In truth and in fact, Porter never left the residence until he was arrested, and the firearm was found in the house.

4. On November 14, 2000, MARK DIAZ and THOMAS TURKALY subjected Earl Graves to unreasonable and excessive force outside the Country Inn restaurant at 18051 Mack Avenue, punching Graves in the stomach and head. DIAZ and TURKALY then unlawfully arrested Graves without probable cause.

5. On November 28, 2000, MATTHEW ZANI and THOMAS TURKALY, without exigent circumstances or first obtaining a search warrant, kicked open the door to a residence at 18850 Woodward, Unit # 43, causing bodily injury to Ethel Goins.

6. On February 12, 2001, MATTHEW ZANI forcibly entered the home of Michael

Olah, 6066 Cecil, by pointing a firearm at Olah. ZANI and THOMAS TURKALY unlawfully entered -- without exigent circumstances or first obtaining a search warrant - the house and subjected Olah to an illegal search and seizure. Heroin and cocaine were discovered during the unlawful search of the house. ZANI stole approximately \$140 belonging to Olah. To conceal their illegal entry and search of the residence and to increase the apparent weight of the evidence against Olah, ZANI and TURKALY wrote false reports stating that they had arrested Olah on the front porch and that the drugs were located near where Olah was standing.

7. On February 26, 2001, WILLIAM MELENDEZ, JEFFREY WEISS and RICARDO VILLARRUEL unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- a residence at 3820 Wesson and subjected Clifton White and Shannon White, among others, to illegal searches and seizures. MELENDEZ pointed a firearm at Clifton White to gain entrance into the house. MELENDEZ, WEISS and VILLARRUEL falsely claimed in their reports that they contacted Clifton White and Shannon White on a public street and that Clifton White was in possession of cocaine. MELENDEZ, WEISS and VILLARRUEL wrote false reports concealing their unlawful entry into the house and justifying the false arrest and prosecution of Clifton White for possession of cocaine.

8. On June 3, 2001, at the Jeffries Projects, near Myrtle and the John C. Lodge Freeway, MATTHEW ZANI, MARK DIAZ and THOMAS TURKALY chased Christopher Daniel, arrested him, and took approximately \$2,000 that belonged to Daniel, some of which they distributed to neighborhood children. They each wrote a



false report concealing the seizure and distribution of this money.

9. On June 16, 2001, WILLIAM MELENDEZ, JEFFREY WEISS and RICARDO VILLARRUEL unlawfully stopped and arrested Victoria Tillmon outside her home at 3539 Wesson. MELENDEZ and WEISS wrote false reports claiming that Tillmon dropped a vial containing crack cocaine to support the false arrest and prosecution of Tillmon. While taking her to the police station, MELENDEZ threatened Tillmon, explaining that people who testify against him and his crew will be killed.

10. On August 7, 2001, JEFFREY WEISS, TROY BRADLEY, JOHN MCLEOD and JERROD WILLIS unlawfully arrested James Liddell and Laval Johnson. WEISS, BRADLEY, MCLEOD and WILLIS falsified their reports, claiming that they witnessed James Liddell and Laval Johnson take part in a drug transaction, and that James Liddell was in possession of cocaine. In truth and in fact, Liddell and Johnson did not take part in a drug transaction and Liddell did not have crack cocaine in his possession.

11. On August 28, 2001, MATTHEW ZANI and CHRISTOPHER RUIZ subjected Kennard Mapp to an illegal search and seizure, as well as the use of unreasonable and excessive force, beating and kicking Mapp. ZANI and RUIZ arrested Mapp based on their false claims that Mapp was in possession of a firearm, which, in truth and in fact, they had previously taken the day before Mapp's arrest in an illegal search of a residence. ZANI and RUIZ falsified reports to support the false arrest and prosecution of Mapp.

12. On September 21, 2001, JEFFREY WEISS, TIMOTHY GILBERT, JOHN

MCLEOD and JERROD WILLIS unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- a residence at 5662 Michigan Avenue and subjected Christopher Newton and Ronnie Hairston to illegal searches and seizures. WEISS, GILBERT, MCLEOD and WILLIS subjected Christopher Newton to the use of unreasonable and excessive force, beating and kicking him. Newton and Hairston were arrested based on false claims that they were in possession of narcotics. WEISS, GILBERT, MCLEOD and WILLIS wrote false reports supporting the false arrest and prosecution of Newton and Hairston.

13. On October 8, 2001, WILLIAM MELENDEZ, JOHN WATKINS, JEFFREY WEISS, TIMOTHY GILBERT and JOHN MCLEOD, took part in the arrests of Clifton White, Perry Young, James Guffey, Cleophus Muse and others. MELENDEZ falsely claimed in his report that he saw Clifton White sell narcotics to James Guffey and Cleophus Muse. WATKINS falsely claimed in his report that he recovered a .22 caliber F.I.E. revolver, serial # 05169, from Clifton White's waistband and cocaine and marijuana in Clifton White's pocket. In truth and in fact, Clifton White did not have any narcotics or the .22 revolver on his person. The .22 revolver had been previously taken by MELENDEZ and MATTHEW ZANI from the residence of Chaka Thomas and Antoine Evans. Subsequent to an inventory search at the police station, GILBERT placed \$100 in a property bag for Clifton White, and WATKINS falsely claimed in his report that WATKINS found the money on Clifton White's person while at the police station. MELENDEZ, WATKINS, WEISS, GILBERT and MCLEOD wrote false reports to justify the arrest and prosecution of White.

14. On October 19, 2001, JEFFREY WEISS, WILLIAM MELENDEZ, JOHN MCLEOD and TIMOTHY GILBERT unlawfully stopped and arrested Roderic Bailey and Taiwan Cox on the street in the area of 8352 Vanderbilt. WEISS and MELENDEZ made Cox and others whom they illegally detained, choose numbers to determine whom the officers would take to jail for a gun and narcotics. WEISS, MELENDEZ, MCLEOD and GILBERT falsified reports to justify the false arrest and prosecution of Bailey and Cox.

15. On November 18, 2001, WILLIAM MELENDEZ and TIMOTHY GILBERT unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- a residence at 248 Bayside and subjected Bruce Toney to an illegal search and seizure. MELENDEZ and GILBERT caused a false 911 call to be made to justify their presence at the location. MELENDEZ and GILBERT falsified their reports to justify the arrest and prosecution of Toney, falsely claiming that Toney had a firearm and narcotics on his person.

16. On January 9, 2002, MARK DIAZ and STEPHEN PARDO unlawfully stopped Jason Metras in front of a Subway restaurant at 4406 W. Vernor. DIAZ held a firearm to Metras' groin while he subjected him to an unlawful search. DIAZ, PARDO and MATTHEW ZANI wrote false reports claiming that Metras was in possession of a firearm to support the false arrest and prosecution of Metras.

17. On February 11, 2002, WILLIAM MELENDEZ, MATTHEW ZANI, JEFFREY WEISS, MARK DIAZ and NICOLE RICH forcibly and unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- the residence of

Clifton White, 2215 Lansing, Apartment 114. Once inside, they subjected Clifton White, Netecia Stanley, and others, to illegal searches and seizures. Despite searching the house and finding no contraband, they arrested Clifton White. ZANI, DIAZ and RICH concealed their illegal entry and search of Clifton White's residence by writing false reports stating that they contacted Clifton White in an alley and chased him into his residence. ZANI, DIAZ and RICH supported the unlawful arrest and prosecution of Clifton White by falsely indicating in their reports that Clifton White dropped a plastic bag containing cocaine as they chased him.

18. On February 19, 2002, WILLIAM MELENDEZ, JEFFREY WEISS, JERROD WILLIS and CHRIS GUINN unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- the residence of Dontae Lindsey, 4161 N. Campbell, and subjected Dontae Lindsey and Darrell Robinson to illegal searches and seizures. They arrested Dontae Lindsey and Darrell Robinson and wrote reports falsely claiming that they found Lindsey and Robinson in a vacant house at 4155 N. Campbell, and that Lindsey and Robinson were in possession of firearms and narcotics to support their false arrest and prosecution.

19. On April 22, 2002, on Clippert Street, WILLIAM MELENDEZ, TROY BRADLEY and JEFFREY WEISS subjected Darryl Chancellor and Robert Blackwell to unreasonable searches and seizures. MELENDEZ arrested Chancellor based on MELENDEZ's false claim that he saw Darryl Chancellor throw a firearm to the ground. MELENDEZ, BRADLEY and WEISS wrote false reports justifying the arrest and prosecution of Chancellor.

20. On April 24, 2002, WILLIAM MELENDEZ, TIMOTHY GILBERT, TROY BRADLEY, CHRIS GUINN, STEPHEN PETROFF and JAMES COSS forcibly and unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- a residence at 4831 Ternes. Inside, they subjected Anthony Perry, Tracy Brown, Irene Lake, and others, to illegal searches and seizures, as well as the use of unreasonable and excessive force. Specifically, Anthony Perry was beaten and subjected to a demeaning search. Irene Lake's head was stepped on, dislodging her tooth. They arrested Anthony Perry, Tracy Brown and Irene Lake based on their false claims that Anthony Perry and Irene Lake dropped bags containing cocaine and Tracy Brown was found to have heroin in her sock. MELENDEZ, GILBERT, BRADLEY, GUINN, PETROFF and COSS falsified their reports to support the arrest and prosecution of Perry, Brown and Lake.

21. On December 3, 2002, WILLIAM MELENDEZ, while conducting a search of 1015 N. Rademacher Street, stole approximately \$2,000 belonging to Nathaniel and Anita Penick. MELENDEZ unsuccessfully attempted to get other officers to write false reports that would have helped him conceal his theft.

All in violation of Title 18, United States Code, Section 241.

**COUNT TWO**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-2 MATTHEW ZANI  
D-5 CHRISTOPHER RUIZ

On or about April 29, 2000, in Detroit, in the Eastern District of Michigan,

Southern Division, defendants MATTHEW ZANI and CHRISTOPHER RUIZ, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, forcibly and unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- a house at 14117 Stout by breaking a window. Once inside, they subjected Ramon Taylor and Derrick Tolbert to unlawful searches and seizures. An illegal search of the residence resulted in the discovery of marijuana and a firearm. In order to justify their illegal actions and to fabricate evidence in support of the prosecution of Ramon Taylor, ZANI and RUIZ falsified their reports, claiming that Taylor threw a gun, which hit the door frame and fell into the house, and that they pursued Taylor into the house. RUIZ falsely claimed in his report that he found the marijuana outside on the porch where Taylor had been standing. In so doing, MATTHEW ZANI and CHRISTOPHER RUIZ did willfully deprive Ramon Taylor and Derrick Tolbert, persons in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be arrested without probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT THREE**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-2 MATTHEW ZANI  
D-5 CHRISTOPHER RUIZ

On or about May 2, 2000, in Detroit, in the Eastern District of Michigan, Southern Division, defendants MATTHEW ZANI and CHRISTOPHER RUIZ, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- a residence in the area of Central and Michigan in the City of Detroit. Once inside the house, ZANI and RUIZ subjected Tracy Brown and others to illegal searches and seizures. ZANI fondled Brown's breasts and RUIZ and ZANI stole approximately \$1,242 belonging to Brown. An illegal search of the residence resulted in the discovery of crack cocaine. In order to justify their illegal actions and to fabricate evidence in support of the prosecution of Tracy Brown, ZANI and RUIZ falsified their reports, claiming that Tracy Brown was loitering outside the house engaging in drugs sales prior to her arrest. ZANI and RUIZ caused a false report to be written by an unindicted co-conspirator which claimed that Tracy Brown was arrested outside the house and a bag of crack cocaine was found in her purse. In so doing, MATTHEW ZANI and CHRISTOPHER RUIZ did willfully deprive Tracy Brown, a person in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting

under the color of law, which includes the right not to be arrested without probable cause;

- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information; and
- ◆ the right to be free from the deprivation of property without due process of law by one acting under color of law.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

#### COUNT FOUR

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-2 MATTHEW ZANI  
D-5 JERROD WILLIS  
D-14 DENNY BORG  
D-4 TROY BRADLEY

On or about August 28, 2000, in Detroit, in the Eastern District of Michigan, Southern Division, defendants MATTHEW ZANI, JERROD WILLIS, DENNY BORG and TROY BRADLEY, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, entered a residence at 4110 Joe Street, Detroit, Michigan. Once inside the house, they conducted a search of the premises and located Raymone Porter on the second floor. A search of the residence resulted in the discovery of a firearm. At the direction of ZANI, and to conceal their entry into the residence and fabricate evidence in support of the prosecution of Raymone Porter, WILLIS, BORG and BRADLEY falsified their reports, claiming that Porter ran out of the back of the home, causing them to chase



him into an alley. They falsely claimed a firearm fell from Porter's waistband after Porter jumped over a fence. In truth and in fact, Porter never left the residence until he was arrested by ZANI, and the firearm was found in the house. In so doing, MATTHEW ZANI, JERROD WILLIS, DENNY BORG and TROY BRADLEY did willfully deprive Raymone Porter, a person in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be arrested without probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

#### COUNT FIVE

(18 U.S.C. § 241: Conspiracy Against Rights)

#### D-14 DENNY BORG

From on or about August 28, 2000, through approximately January 29, 2004, in Detroit, in the Eastern District of Michigan, Southern Division, defendant DENNY BORG, being a police officer with the Detroit Police Department and while acting under color of the laws of the State of Michigan and City of Detroit, did willfully conspire and agree with Matthew Zani, Jerrod Willis and Troy Bradley to injure, oppress, threaten and intimidate Raymone Porter, a person in the State of Michigan, in

the free exercise and enjoyment of the rights secured to him by the Constitution and laws of the United States, those rights including:

- ◆ the right to be free from unreasonable search and seizure by one acting under color of law, which includes the right not to be arrested without probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information.

All in violation of Title 18, United States Code, Section 241.

**COUNT SIX**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-2 MATTHEW ZANI  
D-10 THOMAS TURKALY

On or about February 12, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendants MATTHEW ZANI and THOMAS TURKALY, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, forcibly and unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- a residence at 6066 Cecil and subjected Olah to an illegal search and seizure. In so doing, MATTHEW ZANI and THOMAS TURKALY did willfully deprive Michael Olah, a person in the State of Michigan, of the following right preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting

under the color of law.

In the commission of this crime, defendants MATTHEW ZANI and THOMAS TURKALY did use or threaten the use of a dangerous weapon, namely, a firearm.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT SEVEN**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-2 MATTHEW ZANI  
D-10 THOMAS TURKALY

On or about February 12, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendants MATTHEW ZANI and THOMAS TURKALY, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, forcibly and unlawfully entered the residence of Michael Olah at 6066 Cecil. Heroin and cocaine were discovered during the unlawful search of the house. ZANI stole approximately \$140 belonging to Olah. To conceal their illegal entry and search of the residence and to fabricate evidence in support of the prosecution of Olah, ZANI and TURKALY wrote false reports stating that they had arrested Olah on the front porch and that the drugs were located near where Olah was standing. In so doing, MATTHEW ZANI and THOMAS TURKALY did willfully deprive Michael Olah, a person in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under color of law, which includes the right not to be arrested without probable cause; and

- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

### COUNT EIGHT

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-3 JEFFREY WEISS  
D-11 RICARDO VILLARRUEL

On or about February 26, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendants JEFFREY WEISS and RICARDO VILLARRUEL, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, forcibly and unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- the home of Clifton White, whom they subjected to an unjustified detention; and unlawfully searched White's residence. JEFFREY WEISS and RICARDO VILLARRUEL falsified their reports, claiming that they contacted Clifton White outside of his residence and that Clifton White was in possession of cocaine. In so doing, JEFFREY WEISS and RICARDO VILLARRUEL did willfully deprive Clifton White, a person in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be arrested without probable cause; and

- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information.

All in violation of Title18, United States Code, Sections 242 and 2(a).

**COUNT NINE**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law)

D-1 WILLIAM MELENDEZ

On or about February 26, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendant WILLIAM MELENDEZ, an officer with the Detroit Police Department, while acting under color of the laws of the State of Michigan, forcibly and unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- the home of Clifton White, whom he subjected to an unjustified detention. In so doing, WILLIAM MELENDEZ did willfully deprive Clifton White, a person in the State of Michigan, of the following right preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law.

In the commission of this crime, defendant WILLIAM MELENDEZ did use or threaten the use of a dangerous weapon, namely, a firearm.

All in violation of Title18, United States Code, Sections 242 and 2(a).

**COUNT TEN**

(18 U.S.C. § 924(c)(1): Use and Carrying of Firearm During Crime of Violence)

D-1 WILLIAM MELENDEZ

On or about February 26, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendant WILLIAM MELENDEZ knowingly used and carried a firearm, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, Deprivation of Rights under Color of Law, 18 U.S.C. § 242; and in the commission of this crime, defendant WILLIAM MELENDEZ did brandish a firearm.

All in violation of Title 18, United States Code, Section 924(c)(1).

**COUNT ELEVEN**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-1 WILLIAM MELENDEZ

D-3 JEFFREY WEISS

D-11 RICARDO VILLARRUEL

On or about June 16, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendants WILLIAM MELENDEZ, JEFFREY WEISS and RICARDO VILLARRUEL, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, unlawfully detained and arrested Victoria Tillmon outside her home at 3539 Wesson.

MELENDEZ and WEISS falsely claimed in their reports that Tillmon dropped a vial containing crack cocaine. While taking her to the police station, MELENDEZ threatened Tillmon, explaining that people who testify against him and his crew will be

killed. In so doing, WILLIAM MELENDEZ, JEFFREY WEISS and RICARDO VILLARRUEL did willfully deprive Victoria Tillmon, a person in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be arrested without probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT TWELVE**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-3 JEFFREY WEISS  
D-4 TROY BRADLEY  
D-12 JOHN MCLEOD  
D-8 JERROD WILLIS

On or about August 7, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendants JEFFREY WEISS, TROY BRADLEY, JOHN MCLEOD and JERROD WILLIS, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, unlawfully arrested James Liddell and Laval Johnson. WEISS, BRADLEY, MCLEOD and WILLIS falsified their reports, claiming that they witnessed James Liddell and Laval Johnson take part in a drug transaction, and that James Liddell was in possession

of cocaine. In so doing, JEFFREY WEISS, TROY BRADLEY, JOHN MCLEOD and JERROD WILLIS, did willfully deprive James Liddell and Laval Johnson, persons in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be arrested without probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT THIRTEEN**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-2 MATTHEW ZANI  
D-5 CHRISTOPHER RUIZ

On or about August 28, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendants MATTHEW ZANI and CHRISTOPHER RUIZ, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, subjected Kennard Mapp to unreasonable and excessive force. In so doing, MATTHEW ZANI and CHRISTOPHER RUIZ did willfully deprive Kennard Mapp, a person in the State of Michigan, of the following right preserved and protected by the Constitution of the United States:



- ◆ the right to be free from the intentional use of unreasonable force by one acting under color of law.

In the commission of this crime, defendants MATTHEW ZANI and CHRISTOPHER RUIZ did cause bodily injury to Kennard Mapp.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

#### **COUNT FOURTEEN**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-2 MATTHEW ZANI  
D-5 CHRISTOPHER RUIZ

On or about August 28, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendants MATTHEW ZANI and CHRISTOPHER RUIZ, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, unlawfully arrested Kennard Mapp based on their false reports which claimed that Mapp threw a handgun to the ground and they recovered the handgun. In so doing, MATTHEW ZANI and CHRISTOPHER RUIZ did willfully deprive Kennard Mapp, a person in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be arrested without probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to have criminal charges based on fraudulent evidence or false information.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT FIFTEEN**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-3 JEFFREY WEISS  
D-6 TIMOTHY GILBERT  
D-12 JOHN MCLEOD  
D-8 JERROD WILLIS

On or about September 21, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendants JEFFREY WEISS, TIMOTHY GILBERT, JOHN MCLEOD and JERROD WILLIS, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, subjected Christopher Newton to unreasonable force. In so doing, JEFFREY WEISS, TIMOTHY GILBERT, JOHN MCLEOD and JERROD WILLIS did willfully deprive Christopher Newton, a person in the State of Michigan, of the following right preserved and protected by the Constitution of the United States:

- ◆ the right to be free from the intentional use of unreasonable force by one acting under color of law.

In the commission of this crime, defendants JEFFREY WEISS, TIMOTHY GILBERT, JOHN MCLEOD and JERROD WILLIS did cause bodily injury to Christopher Newton.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT SIXTEEN**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-3 JEFFREY WEISS  
D-6 TIMOTHY GILBERT  
D-12 JOHN MCLEOD  
D-8 JERROD WILLIS

On or about September 21, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendants JEFFREY WEISS, TIMOTHY GILBERT, JOHN MCLEOD and JERROD WILLIS, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, forcibly and unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- a residence at 5662 Michigan Avenue, Detroit, Michigan, and unlawfully detained Christopher Newton and Ronnie Hairston and unlawfully arrested them based on false reports. In so doing, JEFFREY WEISS, TIMOTHY GILBERT, JOHN MCLEOD and JERROD WILLIS did willfully deprive Christopher Newton and Ronnie Hairston, persons in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be arrested without probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT SEVENTEEN**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-1 WILLIAM MELENDEZ  
D-13 JOHN WATKINS  
D-3 JEFFREY WEISS  
D-6 TIMOTHY GILBERT  
D-12 JOHN MCLEOD

On or about October 8, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendants WILLIAM MELENDEZ, JOHN WATKINS, JEFFREY WEISS, TIMOTHY GILBERT and JOHN MCLEOD, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, took part in the illegal arrest of Clifton White. MELENDEZ falsely claimed in his report that he saw Clifton White sell narcotics to James Guffey and Cleophus Muse. WATKINS falsely claimed in his report that he recovered a .22 caliber F.I.E. revolver, serial # 05169, from Clifton White's waistband and cocaine and marijuana in Clifton White's pocket. In truth and in fact, Clifton White did not have any narcotics or the .22 caliber revolver on his person. Subsequent to an inventory search at the police station, TIMOTHY GILBERT placed \$100 in a property bag for Clifton White and WATKINS falsely claimed in his report that WATKINS found the money on Clifton White's person to make it appear as if White were in possession of narcotics proceeds. MELENDEZ, WATKINS, WEISS, GILBERT and MCLEOD wrote false reports to justify the arrest and prosecution of White. In so doing, WILLIAM MELENDEZ, JOHN WATKINS, JEFFREY WEISS, TIMOTHY

GILBERT and JOHN MCLEOD did willfully deprive Clifton White, a person in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be arrested without probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT EIGHTEEN**

(18 U.S.C. § 241: Conspiracy Against Rights)

D-13 JOHN WATKINS

From on or about October 8, 2001, through approximately January 29, 2004, in Detroit, in the Eastern District of Michigan, Southern Division, defendant JOHN WATKINS, being a police officer with the Detroit Police Department and while acting under color of the laws of the State of Michigan and City of Detroit, did willfully conspire and agree with William Melendez, Jeffrey Weiss, Timothy Gilbert and John McLeod, to injure, oppress, threaten and intimidate Clifton White, a person in the State of Michigan, in the free exercise and enjoyment of the rights secured to him by the Constitution and laws of the United States, those rights including:

- ◆ the right to be free from unreasonable search and seizure by one acting under color of law, which includes the right not to be arrested without

probable cause; and

- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information.

All in violation of Title 18, United States Code, Section 241.

**COUNT NINETEEN**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-3 JEFFREY WEISS  
D-6 TIMOTHY GILBERT  
D-8 JERROD WILLIS  
D-12 JOHN MCLEOD

On or about October 16, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendants JEFFREY WEISS, TIMOTHY GILBERT, JERROD WILLIS and JOHN MCLEOD, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, willfully presented false testimony regarding the events of September 21, 2001, to a judge of the 36<sup>th</sup> District Court for the City of Detroit in People v. Christopher Newton, et al., Case No. 01-11730; namely, WEISS falsely testified that he observed Christopher Newton engage in what appeared to be a narcotics sale to Ronnie Hairston and Crystal Corsis; GILBERT falsely testified that he detained Christopher Newton on a public street and found cocaine, heroin and \$199 in cash on Newton's person; WILLIS falsely testified that he detained Ronnie Hairston on a public street and found cocaine on his person; and MCLEOD testified that he detained Crystal Corsis on a public street

and found cocaine in her hand. As a result of defendants' false testimony, Newton, Hairston and Corsis were bound over for trial. In so doing, JEFFREY WEISS, TIMOTHY GILBERT, JERROD WILLIS and JOHN MCLEOD did willfully deprive Christopher Newton, Ronnie Hairston and Crystal Corsis, persons in the State of Michigan, of the following right preserved and protected by the Constitution of the United States:

- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to have false evidence intentionally presented against him at an official proceeding by one acting under color of law.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT TWENTY**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-3 JEFFREY WEISS  
D-1 WILLIAM MELENDEZ  
D-12 JOHN MCLEOD  
D-6 TIMOTHY GILBERT

On or about October 19, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendants JEFFREY WEISS, WILLIAM MELENDEZ, JOHN MCLEOD and TIMOTHY GILBERT, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, unlawfully stopped and arrested Roderic Bailey and Taiwan Cox on the street in the area of 8352 Vanderbilt. WEISS and MELENDEZ made Cox and others whom they illegally detained choose numbers to determine whom the officers would

take to jail for a gun and narcotics. WEISS, MELENDEZ, MCLEOD and GILBERT wrote false reports to justify the arrest and prosecution of Bailey and Cox. In so doing, JEFFREY WEISS, WILLIAM MELENDEZ, JOHN MCLEOD and TIMOTHY GILBERT did willfully deprive Roderic Bailey and Taiwan Cox, persons in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be arrested without probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT TWENTY-ONE**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-1 WILLIAM MELENDEZ  
D-13 JOHN WATKINS

On or about October 23, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendants WILLIAM MELENDEZ and JOHN WATKINS, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, willfully presented false testimony about the events of October 8, 2001, to a judge of the 36<sup>th</sup> District Court for the City of Detroit in People v. Clifton Earl White, et al., Case No. 01-12020; namely,



MELLENDEZ falsely testified that he observed Clifton White engage in what appeared to be a narcotics sale to Cleophus Muse and James Guffey; WATKINS falsely testified that he found a firearm, cocaine, marijuana and \$100 in cash on Clifton White's person. As a result of defendants' false testimony, Clifton White was bound over for trial. In so doing, WILLIAM MELLENDEZ and JOHN WATKINS did willfully deprive Clifton White, a person in the State of Michigan, of the following right preserved and protected by the Constitution of the United States:

- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to have false evidence intentionally presented against him at an official proceeding by one acting under color of law.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT TWENTY-TWO**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-1 WILLIAM MELLENDEZ  
D-6 TIMOTHY GILBERT

On or about November 18, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendants WILLIAM MELLENDEZ and TIMOTHY GILBERT, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, forcibly and unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- the home of Bruce Toney at 248 Bayside, where they subjected Toney to unjustified detention. In so doing, WILLIAM MELLENDEZ and TIMOTHY GILBERT did willfully deprive

Bruce Toney, a person in the State of Michigan, of the following right preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law.

In the commission of this crime, defendants WILLIAM MELENDEZ and TIMOTHY GILBERT did use or threaten the use of a dangerous weapon, namely, a firearm.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT TWENTY-THREE**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-1 WILLIAM MELENDEZ  
D-6 TIMOTHY GILBERT

On or about November 18, 2001, in Detroit, in the Eastern District of Michigan, Southern Division, defendants WILLIAM MELENDEZ and TIMOTHY GILBERT, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, unlawfully arrested Bruce Toney based on false reports that claimed that Toney had a firearm and narcotics on his person. In so doing, WILLIAM MELENDEZ and TIMOTHY GILBERT did willfully deprive Bruce Toney, a person in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be arrested without probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of

law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT TWENTY-FOUR**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-7 MARK DIAZ  
D-18 STEPHEN PARDO  
D-2 MATTHEW ZANI

On or about January 9, 2002, in Detroit, in the Eastern District of Michigan, Southern Division, defendants MARK DIAZ, STEPHEN PARDO and MATTHEW ZANI, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, subjected Jason Metras to an unjustified detention and arrest. DIAZ, PARDO and ZANI wrote false reports claiming that Jason Metras was in possession of a firearm in order to justify his false arrest and prosecution. In so doing, MARK DIAZ, STEPHEN PARDO and MATTHEW ZANI did willfully deprive Jason Metras, a person in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be arrested without probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty

attendant to facing and defending felony criminal charges based on  
fraudulent evidence or false information

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT TWENTY-FIVE**

(18 U.S.C. § 241: Conspiracy Against Rights)

D-18 STEPHEN PARDO

From on or about January 9, 2002, through approximately January 29, 2004, in  
Detroit, in the Eastern District of Michigan, Southern Division, defendant STEPHEN  
PARDO, being a police officer with the Detroit Police Department and while acting  
under color of the laws of the State of Michigan and City of Detroit, did willfully  
conspire and agree with Matthew Zani and Mark Diaz to injure, oppress, threaten and  
intimidate Jason Metras, a person in the State of Michigan, in the free exercise and  
enjoyment of the rights secured to him by the Constitution and laws of the United  
States, those rights including:

- ◆ the right to be free from unreasonable search and seizure by one acting  
under color of law; which includes the right not to be arrested without  
probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of  
law, which includes the right not to suffer the deprivations of liberty  
attendant to facing and defending felony criminal charges based on  
fraudulent evidence or false information.

All in violation of Title 18, United States Code, Section 241.

**COUNT TWENTY-SIX**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-1 WILLIAM MELENDEZ  
D-2 MATTHEW ZANI  
D-3 JEFFREY WEISS  
D-7 MARK DIAZ  
D-17 NICOLE RICH

On or about February 11, 2002, in Detroit, in the Eastern District of Michigan, Southern Division, defendants WILLIAM MELENDEZ, MATTHEW ZANI, JEFFREY WEISS, MARK DIAZ and NICOLE RICH, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, forcibly and unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- the residence of Clifton White at 2215 Lansing, apartment 114. Once inside, they subjected Clifton White and others to illegal searches and seizures. Despite searching the house and finding no contraband, they arrested Clifton White. ZANI, DIAZ and RICH concealed their illegal activity by writing false reports stating they contacted Clifton White in an alley outside of the apartment building. ZANI, DIAZ and RICH supported the unlawful arrest and prosecution of Clifton White by falsely stating in their reports that Clifton White dropped a plastic bag containing cocaine as he fled from them in an alley. In so doing, WILLIAM MELENDEZ, MATTHEW ZANI, JEFFREY WEISS, MARK DIAZ and NICOLE RICH did willfully deprive Clifton White, a person in the State of Michigan, of the following rights preserved and

protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be arrested without probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT TWENTY-SEVEN**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-1 WILLIAM MELENDEZ  
D-3 JEFFREY WEISS  
D-8 JERROD WILLIS  
D-9 CHRISTOPHER GUINN

On or about February 19, 2002, in Detroit, in the Eastern District of Michigan, Southern Division, defendants WILLIAM MELENDEZ, JEFFREY WEISS, JERROD WILLIS and CHRIS GUINN, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- the residence of Dontae Lindsey at 4161 N. Campbell, and subjected Dontae Lindsey and Darrell Robinson to illegal searches and seizures. In order to support the false arrest and prosecution of Dontae Lindsey and Darrell Robinson, MELENDEZ, WEISS, WILLIS and GUINN wrote reports falsely claiming that they found Lindsey

and Robinson in a vacant house at 4155 N. Campbell, and that Lindsey and Robinson were in possession of firearms and narcotics. In so doing, WILLIAM MELENDEZ, JEFFREY WEISS, JERROD WILLIS and CHRIS GUINN did willfully deprive Dontae Lindsey and Darrell Robinson, persons in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be arrested without probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT TWENTY-EIGHT**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-1 WILLIAM MELENDEZ  
D-3 JEFFREY WEISS

On or about April 22, 2002, in Detroit, in the Eastern District of Michigan, Southern Division, defendants WILLIAM MELENDEZ and JEFFREY WEISS, along with Troy Bradley, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, subjected Darryl Chancellor to unreasonable searches and seizures. MELENDEZ arrested Chancellor based on his false claim that he saw Chancellor throw a firearm to the ground. MELENDEZ, WEISS and Troy Bradley wrote false reports justifying the

arrest and prosecution of Chancellor. In so doing, WILLIAM MELENDEZ and JEFFREY WEISS did willfully deprive Darryl Chancellor, a person in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be arrested without probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT TWENTY-NINE**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law)

D-2 MATTHEW ZANI

On or about March 4, 2002, in Detroit, in the Eastern District of Michigan, Southern Division, defendant MATTHEW ZANI, an officer with the Detroit Police Department, while acting under color of the laws of the State of Michigan, willfully presented false testimony to a judge of the 36<sup>th</sup> District Court for the City of Detroit in People v. Clifton White, Case No. 02-56874; namely, ZANI falsely testified that on February 11, 2002, he chased Clifton White on a public street and observed Clifton White throw a baggie that was later found to contain narcotics. As a result of ZANI's false testimony, Clifton White was bound over for trial. In so doing, MATTHEW ZANI did willfully deprive Clifton White, a person in the State of Michigan, of the



following right preserved and protected by the Constitution of the United States:

- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to have false evidence intentionally presented against him at an official proceeding by one acting under color of law; and
- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be detained without probable cause.

All in violation of Title 18, United States Code, Section 242.

**COUNT THIRTY**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-1 WILLIAM MELENDEZ  
D-4 TROY BRADLEY  
D-6 TIMOTHY GILBERT  
D-9 CHRIS GUINN  
D-15 JAMES COSS  
D-16 STEPHEN PETROFF

On or about April 24, 2002, in Detroit, in the Eastern District of Michigan, Southern Division, defendants WILLIAM MELENDEZ, TROY BRADLEY, TIMOTHY GILBERT, CHRIS GUINN, JAMES COSS and STEPHEN PETROFF, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, subjected Anthony Perry and Irene Lake to unreasonable force. In so doing, WILLIAM MELENDEZ, TROY BRADLEY, TIMOTHY GILBERT, CHRIS GUINN, JAMES COSS and STEPHEN PETROFF did willfully deprive Anthony Perry and Irene Lake, persons in the State of Michigan, of the following right preserved and protected by the Constitution of the

United States:

- ◆ the right to be free from the intentional use of unreasonable force by one acting under color of law.

In the commission of this crime, defendants WILLIAM MELENDEZ, TROY BRADLEY, TIMOTHY GILBERT, CHRIS GUINN, JAMES COSS and STEPHEN PETROFF did cause bodily injury to Anthony Perry and Irene Lake.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT THIRTY-ONE**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-1 WILLIAM MELENDEZ  
D-4 TROY BRADLEY  
D-6 TIMOTHY GILBERT  
D-9 CHRIS GUINN  
D-15 JAMES COSS  
D-16 STEPHEN PETROFF

On or about April 24, 2002, in Detroit, in the Eastern District of Michigan, Southern Division, defendants WILLIAM MELENDEZ, TROY BRADLEY, TIMOTHY GILBERT, CHRIS GUINN, JAMES COSS and STEPHEN PETROFF, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, forcibly and unlawfully entered -- without exigent circumstances or first obtaining a search warrant -- Tracy Brown's residence at 4831 Ternes. Inside, they subjected Anthony Perry, Tracy Brown, Irene Lake, and others, to illegal searches and seizures. They arrested Anthony Perry, Tracy Brown and Irene Lake based on their false claims that Anthony Perry and Irene Lake dropped bags containing cocaine and Tracy Brown was found to have heroin in her

sock. MELENDEZ, GILBERT, BRADLEY, GUINN, PETROFF and COSS wrote false reports supporting the false arrest and prosecution of Perry, Brown and Lake. In so doing, WILLIAM MELENDEZ, TROY BRADLEY, TIMOTHY GILBERT, CHRIS GUINN, JAMES COSS and STEPHEN PETROFF did willfully deprive Anthony Perry, Tracy Brown and Irene Lake, persons in the State of Michigan, of the following rights preserved and protected by the Constitution of the United States:

- ◆ the right to be free from unreasonable search and seizure by one acting under the color of law, which includes the right not to be arrested without probable cause; and
- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT THIRTY-TWO**

(18 U.S.C. § 241: Conspiracy Against Rights)

D-9 CHRIS GUINN  
D-15 JAMES COSS  
D-16 STEPHEN PETROFF

From on or about April 24, 2002, through approximately January 29, 2004, in Detroit, in the Eastern District of Michigan, Southern Division, defendants CHRIS GUINN, JAMES COSS and STEPHEN PETROFF, being police officers with the Detroit Police Department and while acting under color of the laws of the State of Michigan and City of Detroit, did willfully conspire and agree with each other and with William Melendez, Troy Bradley and Timothy Gilbert, to injure, oppress, threaten and

intimidate Tracy Brown, Irene Lake and Anthony Perry, persons in the State of Michigan, in the free exercise and enjoyment of the rights secured to them by the Constitution and laws of the United States, those rights including:

- ◆ the right to be free from unreasonable search and seizure by one acting under color of law, which includes the right not to be arrested without probable cause;
- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to suffer the deprivations of liberty attendant to facing and defending felony criminal charges based on fraudulent evidence or false information; and
- ◆ the right to be free from the intentional use of unreasonable force by one acting under color of law.

All in violation of Title 18, United States Code, Section 241.

**COUNT THIRTY-THREE**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law;  
18 U.S.C. § 2(a): Aiding and Abetting)

D-1 WILLIAM MELENDEZ  
D-6 TIMOTHY GILBERT

On or about June 12, 2002, in Detroit, in the Eastern District of Michigan, Southern Division, defendants WILLIAM MELENDEZ and TIMOTHY GILBERT, officers with the Detroit Police Department, aiding and abetting each other, while acting under color of the laws of the State of Michigan, willfully presented false testimony to a jury in the Third Circuit Court for the County of Wayne in People v. Bruce Carl Toney, Case No. 01-13697; namely, MELENDEZ and GILBERT falsely testified at trial that on November 18, 2001, they recovered a firearm and narcotics from the person of Bruce Toney

while he stood near a residence located at 428 Bayside, Detroit, Michigan. As a result of defendants' false testimony, Bruce Toney was convicted and sentenced to prison. In so doing, WILLIAM MELENDEZ and TIMOTHY GILBERT did willfully deprive Bruce Toney, a person in the State of Michigan, of the following right preserved and protected by the Constitution of the United States:

- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to have false evidence intentionally presented against him at trial by one acting under color of law and the right not to imprisoned as a result of that false evidence.

All in violation of Title 18, United States Code, Sections 242 and 2(a).

**COUNT THIRTY-FOUR**

(18 U.S.C. § 1001 -- False, Fictitious or Fraudulent Statement)

D-8 JERROD WILLIS

On or about July 31, 2002, in the Eastern District of Michigan, in a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, JERROD WILLIS did knowingly and willfully make a false, fraudulent, and fictitious material statement and representation; that is JERROD WILLIS stated to a Special Agent of the Federal Bureau of Investigation:

1. That on August 28, 2000, WILLIS engaged in a foot chase of Raymone Porter, who ran out from the residence at 4110 Joe Street; and
2. That WILLIS saw Porter drop something that WILLIS believed to be a gun after Porter jumped over a fence; and

3. That WILLIS chased Porter and caught him, placing him under arrest;

All in violation of Title 18, United States Code, Section 1001.

**COUNT THIRTY-FIVE**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law)

D-2 MATTHEW ZANI

On or about November 25, 2002, in Detroit, in the Eastern District of Michigan, Southern Division, defendant MATTHEW ZANI, an officer with the Detroit Police Department, while acting under color of the laws of the State of Michigan, willfully presented false testimony to a jury in the Third Circuit Court for the County of Wayne in People v. Kennard Calvin Mapp, Case No. 01-10573; namely, ZANI testified falsely that on August 28, 2001, he saw a handgun fall from the waist of Kennard Mapp. As a result of ZANI's false testimony, Kennard Mapp was convicted and sentenced to prison. In so doing, MATTHEW ZANI did willfully deprive Kennard Mapp, a person in the State of Michigan, of the following right preserved and protected by the Constitution of the United States:

- ◆ the right to be free from the deprivation of liberty without due process of law, which includes the right not to have false evidence intentionally presented against him at trial by one acting under color of law and the right not to imprisoned as a result of that false evidence.

All in violation of Title 18, United States Code, Section 242.

**COUNT THIRTY-SIX**

(18 U.S.C. § 242: Deprivation of Rights under Color of Law)

D-1 WILLIAM MELENDEZ

On or about December 3, 2002, in Detroit, in the Eastern District of Michigan, Southern Division, defendant WILLIAM MELENDEZ, an officer with the Detroit Police Department, while acting under color of the laws of the State of Michigan, searched the residence of Nathaniel Penick and Anita Penick, located at 1015 N. Rademacher Street. MELENDEZ stole approximately \$2,000 belonging to Nathaniel and Anita Penick during this search. In so doing, WILLIAM MELENDEZ did willfully deprive Nathaniel Penick and Anita Penick, persons in the State of Michigan, of the following right preserved and protected by the Constitution of the United States:

- ◆ the right to be free from the deprivation of property without due process of law by one acting under color of law.

All in violation of Title 18, United States Code, Section 242.

**COUNT THIRTY-SEVEN**


(18 U.S.C. § 1001 -- False, Fictitious or Fraudulent Statement)

D-17 NICOLE RICH

On or about April 16, 2003, in the Eastern District of Michigan, in a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, NICOLE RICH did knowingly and willfully make a false, fraudulent, and fictitious material statement and representation; that is NICOLE RICH stated to a Special Agent of

the Federal Bureau of Investigation that she took part in a foot chase of Clifton White on a public street on February 11, 2002, prior to White's arrest; in violation of Title 18, United States Code, Section 1001.

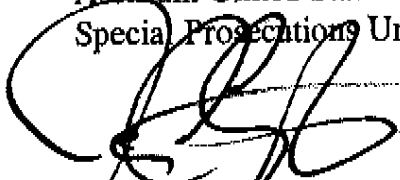
THIS IS A TRUE BILL

  
\_\_\_\_\_  
FOREPERSON

**JEFFREY G. COLLINS**  
United States Attorney



**R. MICHAEL BULLOTTA**  
Assistant United States Attorney  
Special Prosecutions Unit



**JOHN ENGSTROM**  
Assistant United States Attorney  
Special Prosecutions Unit

Dated:



# Criminal Case Cover Sheet

United States District Court  
Eastern District of Michigan

Case Number  
03-80598

**NOTE:** It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

<b>Companion Case Information</b>	Companion Case Number
This may be a companion case based upon LCR 57.10 (b)(4) <sup>1</sup> :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials:

**Case Title:** USA v. William Melendez, et al.

**County where offense occurred :** Wayne

**Check One:**       Felony       Misdemeanor

- Indictment \_\_\_/Information \_\_\_ no prior complaint.
- Indictment \_\_\_/Information \_\_\_ based upon prior complaint [Case number: \_\_\_\_\_]
- Indictment \_\_\_/Information x based upon LCR 57.10 (d) [Complete Superseding section below].

U.S. DIST. COURT  
EAST DIST. MICH.  
DETROIT - P.S.

04 JAN 29 AM 5:50

FILED

## Superseding Case Information:

**Superseding to Case No:** 03-80598      **Judge:** AVERN COHN

- Original case was terminated; no additional charges or defendants.
- Corrects errors; no additional charges or defendants.
- Involves, for plea purposes, different charges or adds counts.
- Embraces same subject matter but adds the additional defendants or charges below:

**Defendant name**

D-14 Denny Borg  
D-13 John Watkins  
D-18 Stephen Pardo  
D-1 William Melendez  
D-3 Jeffrey Weiss  
D-9 Chris Guinn  
D-15 James Coss  
D-16 Stephen Petroff

**Charges**

Count 5; 18 U.S.C §241  
Count 18; 18 U.S.C. §241  
Count 25; 18 U.S.C. §241  
Count 28; 18 U.S.C. §242  
Count 28; 18 U.S.C. §242  
Count 32; 18 U.S.C. §241  
Count 32; 18 U.S.C. §241  
Count 32; 18 U.S.C. §241

January 29, 2004  
Date



R. MICHAEL BULLOTTA, Assistant United States Attorney

313-226-9507

Phone Number

<sup>1</sup> Companion cases are matters in which it appears that substantially similar evidence will be offered at trial or the same of related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.