

13

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case:2:10-cr-20123
Judge: Roberts, Victoria A
MJ: Komives, Paul J
Filed: 03-23-2010 At 04:26 PM
INDI USA V SEALED MATTER (EB)

VIOLATIONS:

- D-1 DAVID BRIAN STONE, a.k.a. "RD,"**
a.k.a. "Joe Stonewall," a.k.a. "Captain Hutaree,"
- D-2 DAVID BRIAN STONE, JR., a.k.a. "Junior,"**
- D-3 JOSHUA MATTHEW STONE, a.k.a. "Josh,"**
- D-4 TINA MAE STONE,**
- D-5 JOSHUA JOHN CLOUGH, a.k.a "Azzurlin,"**
a.k.a. "Az," a.k.a. "Mouse," a.k.a. "Jason Z. Charles,"
- D-6 MICHAEL DAVID MEEKS, a.k.a. "Mikey,"**
- D-7 THOMAS EDWARD PIATEK, a.k.a. "PA"**
- D-8 KRISTOPHER T. SICKLES, a.k.a. "Pale Horse,"**
- D-9 JACOB J. WARD, a.k.a. "Jake," a.k.a. "Nate,"**
a.k.a. "Guhighllo,"

- 18 U.S.C. § 2384**
- 18 U.S.C. § 2332a(a)(2)**
- 18 U.S.C. § 842(p)(2)**
- 18 U.S.C. § 924(c)(1)**

Defendants.

INDICTMENT

THE GRAND JURY CHARGES THAT:

GENERAL ALLEGATIONS

At all relevant times described herein, there existed an organization known as the "HUTAREE", based in Lenawee County Michigan, which is an anti-government extremist organization which advocates violence against local, state, and Federal law enforcement.

The defendants, DAVID BRIAN STONE, a.k.a. "RD," a.k.a. "Joe Stonewall," a.k.a. "Captain Hutaree," DAVID BRIAN STONE, JR., a.k.a. "Junior," JOSHUA MATTHEW STONE, a.k.a. "Josh," TINA MAE STONE, JOSHUA JOHN CLOUGH, a.k.a. "Azzurlin," a.k.a. "Az," a.k.a. "Mouse," a.k.a. "Jason Z. Charles," MICHAEL DAVID MEEKS, a.k.a. "Mikey," THOMAS WILLIAM EDWARD PIATEK, KRISTOPHER T. SICKLES, a.k.a. "Pale Horse," JACOB J. WARD, a.k.a. "Jake," a.k.a. "Nate," a.k.a. "Guhighllo," and others known and unknown to the Grand Jury, are members of the HUTAREE. Some HUTAREE members are identifiable by their tiger stripe camouflage uniforms with a distinct shoulder patch which contains a black cross, two brown vertical pillars which form the letter "H" in combination with the black cross, two red spears, a brown V shape at the base of the cross symbolizing the supporting hands of the HUTAREE, and the initials "CCR."

The HUTAREE's enemies include state and local law enforcement, who are deemed "foot-soldiers" of the Federal government, Federal law enforcement agencies and employees, participants in the "New World Order," and anyone who does not share in the HUTAREE's beliefs.

Since at least 2008, the HUTAREE has been meeting regularly to conduct military-style training in Lenawee County, located in the Eastern District of Michigan, and elsewhere. The purpose of this training has been to plan and prepare for the impending war with the HUTAREE's enemies.

As used herein, the term "weapon of mass destruction" has the meaning set forth in Title 18, United States Code, Section 2332a(c)(2), including any destructive device as defined in Title 18, United States Code, Section 921.

COUNT ONE

(18 U.S.C. § 2384 – SEDITIOUS CONSPIRACY)

- D-1 DAVID BRIAN STONE, a.k.a. “RD,” a.k.a. “Joe Stonewall,”
a.k.a. “Captain Hutaree,”
D-2 DAVID BRIAN STONE, JR., a.k.a. “Junior,”
D-3 JOSHUA MATTHEW STONE, a.k.a. “Josh,”
D-4 TINA MAE STONE,
D-5 JOSHUA JOHN CLOUGH, a.k.a. “Azzurlin,” a.k.a. “Az,”
a.k.a. “Mouse,” a.k.a. “Jason Z. Charles,”
D-6 MICHAEL DAVID MEEKS, a.k.a. “Mikey,”
D-7 THOMAS ~~EDWARD~~ ^{WILLIAM} PIATEK, ~~or~~
D-8 KRISTOPHER T. SICKLES, a.k.a. “Pale Horse,”
D-9 JACOB J. WARD, a.k.a. “Jake,” a.k.a. “Nate,”
a.k.a. “Guhighllo”

From on or about August 16, 2008, and continuing thereafter up to and including the date of the filing of this indictment, in the Eastern District of Michigan, Southern Division, and elsewhere, the defendants, DAVID BRIAN STONE, a.k.a. “RD,” a.k.a. “Joe Stonewall,” a.k.a. “Captain Hutaree,” DAVID BRIAN STONE, JR., a.k.a. “Junior,” JOSHUA MATTHEW STONE, a.k.a. “Josh,” TINA MAE STONE, JOSHUA JOHN CLOUGH, a.k.a. “Azzurlin,” a.k.a. “Az,” a.k.a. “Mouse,” a.k.a. “Jason Z. Charles,” MICHAEL DAVID MEEKS, a.k.a. “Mikey,” THOMAS ~~EDWARD~~ ^{WILLIAM} PIATEK, KRISTOPHER T. SICKLES, a.k.a. “Pale Horse,” and JACOB J. WARD, a.k.a. “Jake,” a.k.a. “Nate,” a.k.a. “Guhighllo,” acting as a militia group known as the HUTAREE, did knowingly conspire, confederate, and agree with each other and other persons known and unknown to the Grand Jury, to levy war against the United States, to oppose by force the authority of the Government of the United States, and to prevent, hinder, and delay by force the execution of any United States law.

THE MEANS AND METHODS USED TO FURTHER
THE OBJECTS OF THE CONSPIRACY

At all relevant times described herein, the defendant DAVID BRIAN STONE, a.k.a. "RD," a.k.a. "Joe Stonewall," a.k.a. "Captain Hutaree," has been the principal leader of the HUTAREE and he has organized the HUTAREE into two operational units led by himself and one his sons, defendant JOSHUA MATTHEW STONE, a.k.a. "Josh." Another son, defendant DAVID BRIAN STONE, JR., a.k.a. "Junior," served as an explosives instructor and demonstrator, and participated in operational planning and training. The defendant DAVID BRIAN STONE, a.k.a. "RD," a.k.a. "Joe Stonewall," a.k.a. "Captain Hutaree," also established a HUTAREE rank structure, assigned HUTAREE names to members of the organization, and created HUTAREE words for various military formations and maneuvers.

The general concept of operations provided that the HUTAREE would commit some violent act to draw the attention of law enforcement or government officials and which would prompt a response by law enforcement. Possible such acts which were discussed included killing a member of law enforcement after a traffic stop, killing a member of law enforcement and his or her family at home, ambushing a member of law enforcement in rural communities, luring a member of law enforcement with a false 911 emergency call and then killing him or her, and killing a member of law enforcement and then attacking the funeral procession motorcade with weapons of mass destruction. These acts would intimidate and demoralize law enforcement diminishing their ranks and rendering them ineffective.

The general concept of operations further provided that, once such action was taken, HUTAREE members would then retreat to one of several "rally points" where the HUTAREE would wage war against the government and be prepared to defend in depth with trip-wired and command detonated anti-personnel Improvised Explosive Devices (IED), ambushes, and prepared fighting positions. It is believed by the HUTAREE that this engagement would then serve as a catalyst for a more wide-spread uprising against the Government.

The conspirators planned for and trained for the armed conflict against local, state, and Federal law enforcement by engaging in the following means and methods, among others, within the Eastern District of Michigan and elsewhere:

a. Conspirators acquired firearms, magazines, and ammunition, explosives and other components for destructive devices, uniforms, communications equipment, supply and ammunition vehicles, and medical and other supplies.

b. Conspirators engaged in military-style training in anticipation of the planned for military operations to include firearms and explosives training, weapons proficiency drills, patrolling and reconnaissance exercises, close quarter battle drills, and "man-down" drills, and prepared defensive fighting positions, ambush kill zones, and storage bunkers. During these training sessions, each conspirator in attendance carried and used at least one firearm. This training has also included instruction and demonstrations regarding the manufacturing and use of destructive devices and weapons of mass destruction.

c. DAVID BRIAN STONE, a.k.a. "RD," a.k.a. "Joe Stonewall," a.k.a. "Captain Hutaree," planned the killing of an unidentified member of local law enforcement. As a consequence of this act, law enforcement officers from throughout the nation would be drawn to and gather in the Eastern District of Michigan for the funeral. According to the plan, the HUTAREE would then attack law enforcement vehicles during the funeral procession with Improvised Explosive Devices (IED) with Explosively Formed Projectiles (EFP). Subsequently, and in furtherance of this plan, DAVID BRIAN STONE, a.k.a. "RD," a.k.a. "Joe Stonewall," a.k.a. "Captain Hutaree," obtained information about such devices over the internet and emailed diagrams of such devices to a person he believed capable of manufacturing the devices. Also, in furtherance of this plan, JOSHUA MATTHEW STONE, a.k.a. "Josh," and others provided materials necessary for the manufacturing of such devices at the direction of DAVID BRIAN STONE, a.k.a. "RD," a.k.a. "Joe Stonewall," a.k.a. "Captain Hutaree."

d. DAVID BRIAN STONE, a.k.a. "RD," a.k.a. "Joe Stonewall," a.k.a. "Captain Hutaree," also announced to conspirators a covert reconnaissance exercise scheduled for April 2010, during which exercise anyone who happened upon the exercise who did not acquiesce to HUTAREE demands could be killed. DAVID BRIAN STONE, a.k.a. "RD," a.k.a. "Joe Stonewall," a.k.a. "Captain Hutaree," further advised his conspirators that HUTAREE training scheduled for February and March would be devoted to preparing for this exercise.

e. On or about February 6, 2010, several conspirators attempted to travel to Kentucky to attend a summit of militia groups convened by DAVID BRIAN STONE, a.k.a. "RD," a.k.a. "Joe Stonewall," a.k.a. "Captain Hutaree." The purpose of the summit of militia groups was to facilitate better communications, cooperation, and coordination between the various militias. In anticipation of the summit, DAVID BRIAN STONE, a.k.a. "RD, " a.k.a. "Joe Stonewall," a.k.a. "Captain Hutaree," solicited a person he believed capable of manufacturing destructive devices to provide him with four anti-personnel Improvised Explosive Devices (IED) to take with them to the summit. Although weather conditions prevented them from reaching their destination, DAVID BRIAN STONE, a.k.a. "RD," a.k.a. "Joe Stonewall," a.k.a. "Captain Hutaree," identified law enforcement officers in a specific community near his residence, and one officer in particular, as potential targets of attack.

f. On or about February 20, 2010, conspirators gathered in Lenawee County in the Eastern District of Michigan and engaged in training devoted to preparing for the planned covert reconnaissance exercise describe above. Each of the conspirators in attendance carried and used at least one firearm.

The General Allegations are incorporated by reference, as if set forth in full herein, all in violation of Section 2384 of Title 18 of the United States Code.

COUNT TWO

**(18 U.S.C. § 2332a(a)(2) – ATTEMPT TO USE
WEAPONS OF MASS DESTRUCTION)**

- D-1 DAVID BRIAN STONE, a.k.a. “RD,” a.k.a. “Joe Stonewall,”
a.k.a. “Captain Hutaree,”**
D-2 DAVID BRIAN STONE, JR., a.k.a. “Junior,”
D-3 JOSHUA MATTHEW STONE, a.k.a. “Josh,”
D-4 TINA MAE STONE,
**D-5 JOSHUA JOHN CLOUGH, a.k.a. “Azzurlin,” a.k.a. “Az,”
a.k.a. “Mouse,” a.k.a. “Jason Z. Charles,”**
D-6 MICHAEL DAVID MEEKS, a.k.a. “Mikey,”
D-7 THOMAS ~~EDWARD~~ PIATEK, ^{WILLIAM}
D-8 KRISTOPHER T. SICKLES, a.k.a. “Pale Horse,”
**D-9 JACOB J. WARD, a.k.a. “Jake,” a.k.a. “Nate,”
a.k.a. “Guhighllo”**

From on or about August 13, 2009, and continuing thereafter up to and including the date of the filing of this indictment, in the Eastern District of Michigan, Southern Division, and elsewhere, the defendants, DAVID BRIAN STONE, a.k.a. “RD,” a.k.a. “Joe Stonewall,” a.k.a. “Captain Hutaree,” DAVID BRIAN STONE, JR., a.k.a. “Junior,” JOSHUA MATTHEW STONE, a.k.a. “Josh,” TINA MAE STONE, JOSHUA JOHN CLOUGH, a.k.a. “Azzurlin,” a.k.a. “Az,” a.k.a. “Mouse,” a.k.a. “Jason Z. Charles,” MICHAEL DAVID MEEKS, a.k.a. “Mikey,” THOMAS ^{WILLIAM} ~~EDWARD~~ PIATEK, KRISTOPHER T. SICKLES, a.k.a. “Pale Horse,” and JACOB J. WARD, a.k.a. “Jake,” a.k.a. “Nate,” a.k.a. “Guhighllo,” without lawful authority, did knowingly attempt to use one or more weapons of mass destruction, specifically, explosive bombs, explosive mines, and other similar explosive devices against persons and property within the United States, to wit: local, State, and Federal law enforcement officers and vehicles, and facilities of interstate commerce, to wit:

email, the internet, and telephones, were used in furtherance of the offense, such property was used in interstate commerce and in an activity that affected interstate commerce, the defendant DAVID BRIAN STONE, a.k.a. "RD," a.k.a. "Joe Stonewall," a.k.a. "Captain Hutaree," traveled in, and caused others to travel in, interstate commerce in furtherance of the offense, and the offense and the results of the offense would have affected interstate commerce.

The General Allegations are incorporated by reference, as if set forth in full herein, all in violation of Section 2332a(a)(2) of Title 18 of the United States Code, Section 2 of Title 18 of the United States Code, and *United States v. Pinkerton*, 328 U.S. 640 (1946).

COUNT THREE

**(18 U.S.C. § 842(p)(2) – TEACHING/DEMONSTRATING USE
OF EXPLOSIVE MATERIALS)**

**D-1 DAVID BRIAN STONE, a.k.a. "RD," a.k.a. "Joe Stonewall," a.k.a. "Captain Hutaree,"
D-2 DAVID BRIAN STONE, JR., a.k.a. "Junior"**

On or about June 13, 2009, in the Eastern District of Michigan, Southern Division, defendants DAVID BRIAN STONE, a.k.a. "RD," a.k.a. "Joe Stonewall," a.k.a. "Captain Hutaree," and DAVID BRIAN STONE, JR., a.k.a. "Junior," acting without lawful authority, did teach and demonstrated the making or use, and distributed information pertaining to the manufacture or use, of destructive devices and weapons of mass destruction to other persons, and the defendant did so with the intent that the teaching, demonstration or information be used for, or in furtherance of, an activity that constituted a Federal crime of violence, to wit: seditious conspiracy; and knowing that

the persons intend to use the teaching, demonstration, or information for, or in furtherance of, an activity that constitutes a Federal crime of violence, to wit: seditious conspiracy, as alleged in Count One of this indictment.

All in violation of Section 842(p)(2) of Title 18 of the United States Code.

COUNT FOUR

(18 U.S.C. § 924(c)(1) – CARRYING, USING, AND POSSESSING A FIREARM DURING AND IN RELATION TO A CRIME OF VIOLENCE)

- D-1 DAVID BRIAN STONE, a.k.a. “RD,” a.k.a. “Joe Stonewall,”
a.k.a. “Captain Hutaree,”**
- D-2 DAVID BRIAN STONE, JR., a.k.a. “Junior,”**
- D-3 JOSHUA MATTHEW STONE, a.k.a. “Josh,”**
- D-4 TINA MAE STONE,**
- D-5 JOSHUA JOHN CLOUGH, a.k.a. “Azzurlin,” a.k.a. “Az,”
a.k.a. “Mouse,” a.k.a. “Jason Z. Charles,”**
- D-6 MICHAEL DAVID MEEKS, a.k.a. “Mikey,”**
- D-7 THOMAS ^{WILLIAM} EDWARD PIATEK, ^{ET}**
- D-8 KRISTOPHER T. SICKLES, a.k.a. “Pale Horse,”**
- D-9 JACOB J. WARD, a.k.a. “Jake,” a.k.a. “Nate,”
a.k.a. “Guhighllo”**

On or about August 22, 2009, in the Eastern District of Michigan, Southern Division, defendants DAVID BRIAN STONE, a.k.a. “RD,” a.k.a. “Joe Stonewall,” a.k.a. “Captain Hutaree,” DAVID BRIAN STONE, JR., a.k.a. “Junior,” JOSHUA MATTHEW STONE, a.k.a. “Josh,” TINA MAE STONE, JOSHUA JOHN CLOUGH, a.k.a. “Azzurlin,” a.k.a. “Az,” a.k.a. “Mouse,” a.k.a. “Jason Z. Charles,” MICHAEL DAVID MEEKS, a.k.a. “Mikey,” THOMAS ^{WILLIAM} EDWARD PIATEK, ^{ET} KRISTOPHER T. SICKLES, a.k.a. “Pale Horse,” and JACOB J. WARD, a.k.a. “Jake,” a.k.a. “Nate,” a.k.a. “Guhighllo,” did knowingly carry and use firearms during and in relation to a crime

of violence for which they may be prosecuted in a court of the United States, that is, seditious conspiracy and attempted use of weapons of mass destruction, as alleged in Counts One and Two of this indictment, and did knowingly possess firearms in furtherance of such crimes.

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

COUNT FIVE

(18 U.S.C. § 924(c)(1) – CARRYING, USING, AND POSSESSING A FIREARM DURING AND IN RELATION TO A CRIME OF VIOLENCE)

**D-1 DAVID BRIAN STONE, a.k.a. “RD,” a.k.a. “Joe Stonewall,”
a.k.a. “Captain Hutaree,”**

D-2 DAVID BRIAN STONE, JR., a.k.a. “Junior,”

D-3 JOSHUA MATTHEW STONE, a.k.a. “Josh,”

**D-5 JOSHUA JOHN CLOUGH, a.k.a. “Azzurlin,” a.k.a. “Az,”
a.k.a. “Mouse,” a.k.a. “Jason Z. Charles,”**

D-6 MICHAEL DAVID MEEKS, a.k.a. “Mikey,”

D-8 KRISTOPHER T. SICKLES, a.k.a. “Pale Horse,”

**D-9 JACOB J. WARD, a.k.a. “Jake,” a.k.a. “Nate,”
a.k.a. “Guhighllo”**

On or about February 20, 2010, in the Eastern District of Michigan, Southern Division, defendants DAVID BRIAN STONE, a.k.a. “RD,” a.k.a. “Joe Stonewall,” a.k.a. “Captain Hutaree,” DAVID BRIAN STONE, JR., a.k.a. “Junior,” JOSHUA MATTHEW STONE, a.k.a. “Josh,” JOSHUA JOHN CLOUGH, a.k.a. “Azzurlin,” a.k.a. “Az,” a.k.a. “Mouse,” a.k.a. “Jason Z. Charles,” MICHAEL DAVID MEEKS, a.k.a. “Mikey,” KRISTOPHER T. SICKLES, and JACOB J. WARD, a.k.a. “Jake,” a.k.a. “Nate,” a.k.a. “Guhighllo,” did knowingly carry and use firearms during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that

is, seditious conspiracy and attempted use of weapons of mass destruction, as alleged in Counts One and Two of this indictment, and did knowingly possess firearms in furtherance of such crimes.

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

THIS IS A TRUE BILL

s/Grand Jury Foreperson
GRAND JURY FOREPERSON

BARBARA L. MCQUADE
United States Attorney
Eastern District of Michigan

s/Joseph L. Falvey, Jr.
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ORIGINAL

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|--------------------------------------------------------------|----------------------------|
| United States District Court Eastern District of Michigan | Criminal Case Cover |
|--------------------------------------------------------------|----------------------------|

Case:2:10-cr-20123
 Judge: Roberts, Victoria A
 MJ: Komives, Paul J
 Filed: 03-23-2010 At 04:26 PM
 INDI USA V SEALED MATTER (EB)

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete

Reassignment/Recusal Information This matter was opened in the USAO prior to August 15, 2008 []

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

Case Title: USA v. DAVID BRIAN STONE, et al.

County where offense occurred : Lenawee

Check One: Felony Misdemeanor Petty

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

Superseding Case Information

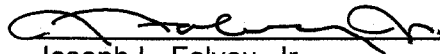
Superseding to Case No: _____ Judge: _____

- 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:

| | | |
|-----------------------|----------------|----------------------------------------|
| <u>Defendant name</u> | <u>Charges</u> | <u>Prior Complaint (if applicable)</u> |
|-----------------------|----------------|----------------------------------------|

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

March 23, 2010
Date


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