

JUDGE THARP

MAGISTRATE JUDGE SCHENKIER

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

AUG 20 2015

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA

15 CR 279

v.

LABAR SPANN,
also known as "Bro Man" and "B,"
and
LADONAH HAMPTON

Violations: Title 18, United States Code, Sections 922(g)(1), 924(e)(1), 1512(b)(1), 1512(b)(2)(A), 1512(c)(2), and 1623(a), and Title 21, United States Code, Section 841(a)(1)

SUPERSEDING INDICTMENT

COUNT ONE

The SPECIAL FEBRUARY 2014 GRAND JURY charges:

On or about September 14, 2014, at Lyons, in the Northern District of Illinois, Eastern Division,

LABAR SPANN,
also known as "Bro Man" and "B,"

defendant herein, previously having been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess in and affecting interstate commerce a firearm, namely, a loaded Glock 19, model 19C, .9 mm caliber handgun, bearing serial number GRD632, which firearm had traveled in interstate commerce prior to the defendant's possession of the firearm;

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(e)(1).

COUNT TWO

The SPECIAL FEBRUARY 2014 GRAND JURY further charges:

Between on or about January 23, 2015, and on or about January 29, 2015, at Chicago, in the Northern District of Illinois, Eastern Division,

LABAR SPANN,
also known as "Bro Man" and "B,"

defendant herein, with others known and unknown to the grand jury, corruptly persuaded Ladonah Hampton, and attempted to do so, and engaged in misleading conduct towards her, with the intent to influence, delay, and prevent the testimony of Ladonah Hampton in an official proceeding, namely the proceeding before the Special February 2014 Grand Jury;

In violation of Title 18, United States Code, Section 1512(b)(1).

COUNT THREE

The SPECIAL FEBRUARY 2014 GRAND JURY further charges:

Between on or about January 23, 2015, and January 29, 2015, at Chicago, in the Northern District of Illinois, Eastern Division,

LABAR SPANN,
also known as "Bro Man" and "B,"

defendant herein, with others known and unknown to the grand jury, corruptly persuaded Ladonah Hampton, and attempted to do so, and engaged in misleading conduct towards her, with the intent to cause and induce Ladonah Hampton to withhold testimony from an official proceeding, namely, the proceeding before the Special February 2014 Grand Jury;

In violation of Title 18, United States Code, Section 1512(b)(2)(A).

COUNT FOUR

The SPECIAL FEBRUARY 2014 GRAND JURY further charges:

On or about May 14, 2015, at Chicago, in the Northern District of Illinois,
Eastern Division,

LABAR SPANN,
also known as "Bro Man" and "B,"

defendant herein, did knowingly and intentionally possess with intent to distribute
a controlled substance, namely, a quantity of a mixture and substance containing a
detectable amount of cocaine base, a Schedule II Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FIVE

The SPECIAL FEBRUARY 2014 GRAND JURY further charges:

Between on or about January 23, 2015, and January 29, 2015, at Chicago, in the Northern District of Illinois, Eastern Division,

LABAR SPANN,
also known as "Bro Man" and "B," and
LADONAH HAMPTON,

defendants herein, with others known and unknown to the grand jury, corruptly obstructed, influenced and impeded, and attempted to obstruct, influence and impede any official proceeding, namely, the proceeding before the SPECIAL FEBRUARY 2014 GRAND JURY;

In violation of Title 18, United States Code, Sections 1512(c)(2) and 2.

COUNT SIX

The SPECIAL FEBRUARY 2014 GRAND JURY further charges:

1. At times material to this Count of the indictment, the SPECIAL FEBRUARY 2014 GRAND JURY was conducting an investigation into possible violations of federal criminal law in connection with LABAR SPANN's possession of a firearm at Midwest Sporting Goods, a firearms store and indoor shooting range located in Lyons, Illinois, on or about September 14, 2014. As it related to SPANN's possession of a firearm, the following matters, among others, were material to the investigation:

a. The circumstances under which LABAR SPANN possessed a firearm at Midwest Sporting Goods on or about September 14, 2014, including whether SPANN shot the firearm and how many targets were used.

2. On or about January 29, 2015, a letter of immunity was issued to defendant LADONAH HAMPTON requiring "complete, truthful and accurate information and testimony" before the SPECIAL FEBRUARY 2014 GRAND JURY. Pursuant to the letter of immunity, HAMPTON testified before the SPECIAL FEBRUARY 2014 GRAND JURY on or about January 29, 2015. The letter explicitly informed HAMPTON that in the event that the United States Attorney's Office determined that HAMPTON had violated any provision of the letter of immunity or failed to give complete, truthful and accurate information and testimony, then, among other things, all statements HAMPTON made would be admissible in evidence against her in a prosecution for perjury or false statement, and in any and

all other criminal proceedings hereafter brought against HAMPTON. On or about January 29, 2015, HAMPTON, who was represented by an attorney, signed the immunity letter and acknowledged its terms.

3. On or about January 29, 2015, at Chicago, in the Northern District of Illinois, Eastern Division,

LADONAH HAMPTON,

defendant herein, was placed under oath before testifying and was advised that her testimony was subject to the penalties of perjury before the SPECIAL FEBRUARY 2014 GRAND JURY, and knowingly made a false material declaration during her testimony by stating, in substance, the following:

Q: And the three of you [HAMPTON, SPANN, and Individual A] went into the range to shoot, correct? You went in together?

A: Yes, we all went in together.

Q: Did you go to one stall or multiple stalls?

A: I went to one stall. We was all in one stall.

Q: And did B shoot the gun?

A: No. I do not recall B shooting the gun at all.

Q: What was he doing then?

A: He was –

Q: Watching?

A: He was there with his girlfriend watching.

Q: So, you just testified, Miss Hampton, that B didn't shoot the gun; is that right?

A: Yes. I do not recall B shooting the gun.

Q: . . . Did B shoot or did B not shoot?

A: No.

Q: He didn't shoot?

A: No.

Q: Correct?

A: Correct.

Q: So your testimony here today is B didn't shoot?

A: No. That's my testimony, yes.

Q: Why did you get three targets if only two of you were shooting?

A: I honestly—the receipt said three. When they asked me about them, I told them two. I didn't even remember buying three targets. I had two when I left so the third one probably wasn't even—the third one wasn't even used.

Q: So my next question was were all three targets used?

A: No, two. I only had 15 minutes and that was a very short time period.

WHEREAS, in truth and fact, as HAMPTON then knew:

4. LABAR SPANN possessed and shot the firearm at the Midwest Sporting Goods on or about September 14, 2014.

In violation of Title 18, United States Code, Section 1623(a).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY