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U.S. COURTS

SEP 14 2016

Rcvd _____ Filed _____ Time _____
ELIZABETH A. SMITH
CLERK, DISTRICT OF IDAHO

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,)	Case No. 1:16-cr-00115-BLW
)	
Plaintiff,)	SUPERSEDING INDICTMENT
)	
vs.)	18 U.S.C. § 922(a)(1)(A)
)	18 U.S.C. § 922(d)(1)
STEVEN W. CLYNE,)	18 U.S.C. § 924(a)(1)(A)
)	18 U.S.C. § 924(d)
Defendant.)	28 U.S.C. § 2461(c)
)	
)	
)	

The Grand Jury charges:

COUNT ONE

**Dealing Firearms Without a License
18 U.S.C. § 922(a)(1)(A)**

Beginning approximately January 2013 until November 12, 2015, in the District of Idaho, the defendant, STEVEN W. CLYNE, not being a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of dealing in firearms, in violation of Title 18, United States Code, Sections 922(a)(1)(A), 923(a), and 924(a)(1)(D).

SUPERSEDING INDICTMENT - 1

COUNT TWO

**False Statement During Purchase of Firearms
18 U.S.C. § 924(a)(1)(A)**

On or about July 22, 2015, in the District of Idaho, the defendant, STEVEN W. CLYNE, knowingly made a false statement and representation to a firearms dealer, a person licensed under the provisions of Chapter 44, Title 18, United States Code, with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of the firearms dealer, in that the defendant executed a Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, Firearms Transaction Record, to the effect that he was the actual buyer of the firearms indicated on the Form 4473, when in fact as the defendant then knew, he was not the actual buyer of the firearms, in violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNT THREE

**Sale of Firearms to a Prohibited Person
18 U.S.C. § 922(d)(1)**

On or about November 1, 2015, in the District of Idaho, the defendant, STEVEN W. CLYNE, knowingly sold firearms, that is a Taurus, Model PT740 Slim, .40 caliber pistol, bearing serial number SG048892, a Bersa, Model 83, bearing serial number 190352, and a Ruger Mark III, bearing serial number 272-83556, to another person, knowing and having reasonable cause to believe that person had been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

FORFEITURE ALLEGATIONS

**Firearm Forfeiture
18 U.S.C. § 924(d); 28 U.S.C. § 2461(c)**

Upon conviction of the offenses alleged in Count One through Three of this Superseding Indictment, the defendant, STEVEN W. CLYNE, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in the commission of the offense, including but not limited to:

1. Marlin, Model: Unknown, .30-.30 Caliber, SN: 9005631;
2. Remington Rifle, Model: 760, .308 Caliber, SN: 7417818;
3. Norinco Rifle, Model: SKS, 7.62 Caliber, SN: 10022881;
4. Sig Sauer Pistol, Model: P556, 5.56 Caliber, SN: TP004914;
5. Springfield Armory, Model: SAR-8, .308 Caliber, SN: SR13994;
6. DTI Rifle, Model: DTI15, 5.56 Caliber, SN: DTI-S049944;
7. CBC Rifle, Model: 715T, .22lr, SN: ELA3331719;
8. Enfield Rifle, Model: Enfield, 303, Unknown SN
9. Savage Rifle, Model: Axis, .243 Caliber, SN: J878681;
10. Sig Sauer Rifle, Model: 556, .556 Caliber, SN: 34C003360;
11. Remington Rifle, Model: 700, 17 Caliber, SN: 6446310;
12. Ruger Rifle, Model: Mini-14, 5.56 Caliber, SN: 58299657;
13. Mossberg Shotgun, Model: 535, 12 Gauge, SN: KT008058;
14. DPMS Rifle, Model: A-15, .223 Caliber, SN: FFH030188;
15. DTI Rifle, Model: DTI-15, 5.56 Caliber, SN: DTI-S049980;
16. Walther Pistol, Model: PPX, 9mm, SN: FAR3530;
17. Ruger Pistol, Model: SR-45, .45ACP, SN: 380-56333;
18. CZ52, Model: N-Trac Arms, 7.62 Caliber, SN: C08845;
19. Springfield Armory, Model: XD-9, 9mm, SN: XD938100;
20. Baikal Pistol, Model: IJ-70, 9mm, SN: J045753;
21. Taurus, Model: Judge, .410 Caliber, SN: GZ868565;
22. Ruger, Blackhawk, .357 Magnum, SN: 33-53811;
23. Ruger, Super Blackhawk, .44 Magnum, SN: 80-04667;
24. Colt Revolver, Model: 21, .38 Caliber, SN: 5324;
25. F.A.P.F Llipietta Revolver, Model: 18735A;
26. .357 Magnum, SN: E57867;
27. Marlin Firearms Co., Model: 36RC, 30-30 caliber rifle, SN D2101; and
28. Polytechnologies, Model: SPM-410, .410 caliber, SN 9005631.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) Cannot be located upon the exercise of due diligence;
- (b) Has been transferred or sold to, or deposited with, a third party;
- (c) Has been placed beyond the jurisdiction of the court;
- (d) Has been substantially diminished in value; or
- (e) Has been commingled with other property which cannot be divided without

difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

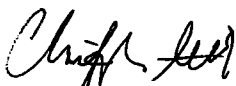
Respectfully submitted this 14th day of September, 2016.

A TRUE BILL

/s/ [signature on reverse]

FOREPERSON

WENDY J. OLSON
UNITED STATES ATTORNEY
By:



CHRISTOPHER S. ATWOOD
ASSISTANT U.S. ATTORNEY

CRIMINAL COVERSHEET

DEFENDANT'S NAME: Steven W. Clyne DEFENSE ATTORNEY: Robyn A. Fyffe Address: PO Box 5681 Boise, ID 83705 Telephone No.: (208) 917-4596	JUVENILE: No PUBLIC or SEALED: Public SERVICE TYPE: Notice ISSUE: No
INVESTIGATIVE AGENT: Brooke Zimmerman Telephone No.: (208) 972-2718 AGENCY: Alcohol, Tobacco, Firearms and Explosives	<div style="text-align: center;"> U.S. COURTS SEP 14 2016 Rcvd _____ Filed _____ Time _____ ELIZABETH A. SMITH CLERK, DISTRICT OF IDAHO </div> INTERPRETER: No YES, language: _____

CASE INFORMATION: Dealing in Firearms Without a License	RELATED COMPLAINT: No CASE NUMBER: 1:16-cr-00115-BLW
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CRIMINAL CHARGING INFORMATION

CHARGING DOCUMENT: **Superseding Indictment**

Felony: <u> Yes </u>	County of Offense: <u> Ada </u>
Class A Misdemeanor: _____	Estimated Trial Time: <u> 4 days </u>
Class B or C Misdemeanor: _____ (Petty Offense)	

STATUTE (Title and Section(s))	COUNT/ FORFEITURE ALLEGATION	BRIEF DESCRIPTION	PENALTIES (Include Supervised Release and Special Assessment)
18 U.S.C. § 922(a)(1)(A)	ONE	Dealing in Firearms Without a License	Up to 5 years imprisonment, up to 1 years supervised release, up to \$250,000.00 fine, \$100 Special Assessment
18 U.S.C. § 924(a)(1)(A)	TWO	False Statement During Purchase of Firearms	Up to 5 years imprisonment, up to 1 years supervised release, up to \$250,000.00 fine, \$100 Special Assessment
18 U.S.C. § 922(d)(1)	THREE	Sale of Firearms to a Prohibited Person	Up to 10 years imprisonment, up to 3 years supervised release, up to \$250,000.00 fine, \$100 Special Assessment
18 U.S.C. § 924(d) 28 U.S.C. § 2461(c)	FORFEITURE ALLEGATION	Firearm Forfeiture	Forfeiture of Listed Property

Date: September 13, 2016

Assistant U.S. Attorney: CHRISTOPHER S. ATWOOD CSA
 Telephone No.: (208) 334-1211