

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

06-60352-CR-ZLOCH (S) (S) (S)

NO.

18 U.S.C. § 2
18 U.S.C. § 371
18 U.S.C. § 641
18 U.S.C. § 842(a)(3)(A)
18 U.S.C. § 842(h)
18 U.S.C. § 842(j)
18 U.S.C. § 922(j)
18 U.S.C. § 922(l)
18 U.S.C. § 922(o)
26 U.S.C. § 5861(d)
26 U.S.C. § 5861(i)

FILED
2007 DEC 20 PM 2:15
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
DAVID NEAL KELLERMAN

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID NEAL KELLERMAN, and
SHAWN PATRICK MONAGHAN,
a/k/a Mr. Monster,

Defendant.

_____/

SECOND SUPERSEDING INDICTMENT

The Grand Jury charges that:

COUNT 1

On or about August 26, 2006, in Broward County, in the
Southern District of Florida, the defendant,

DAVID NEAL KELLERMAN,

did knowingly and willfully conceal and retain stolen property of
the United States, that is, approximately 16,550 rounds of .357

caliber ammunition, of a value in excess of \$1,000.00, with intent to convert said property to his own use, then knowing said property to have been stolen, in violation of Title 18, United States Code, Section 641.

COUNT 2

On or about August 26, 2006, in Broward County, in the Southern District of Florida, the defendant,

DAVID NEAL KELLERMAN,

did knowingly conceal and store stolen ammunition, that is, approximately 16,550 rounds of .357 caliber ammunition, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the ammunition was stolen, in violation of Title 18, United States Code, Section 922(j) and 924(a)(2).

COUNT 3

On or about August 26, 2006, in Deerfield Beach, Broward County, in the Southern District of Florida, the defendant,

DAVID NEAL KELLERMAN,

knowingly stored explosives and high explosives in a manner not in conformity with regulations promulgated by the Secretary of the Treasury pursuant to Title 18, United States Code, Section 847, in that he stored explosives and high explosives, that is approximately 20 feet of detonation cord, one M115A2 Ground Burst Simulator, one M116A1 Hand Grenade Simulator, one M110 Artillery Flash Simulator

and one M127A1 Ground Illumination Signal, in a Public Storage Unit, said Public Storage Unit not then conforming with the requirements of Type I storage facilities, in violation of Title 18, United States Code, Sections 842(j) and 844(b), and 27 C.F.R. Sections 55.201, et. seq.

COUNT 4

On or about August 26, 2006, in Fort Lauderdale, Broward County, in the Southern District of Florida, the defendant,

DAVID NEAL KELLERMAN,

knowingly stored explosives and high explosives in a manner not in conformity with regulations promulgated by the Secretary of the Treasury pursuant to Title 18, United States Code, Section 847, in that he stored explosives and high explosives, that is, twenty-six M116A1 Hand Grenade Simulator, three military blasting caps M-39 WRA, and one Fuze Mine, AT Practice, Model M604, on a 52-foot motor vessel, said motor vessel not then conforming with the requirements of Type I storage facilities, in violation of Title 18, United States Code, Sections 842(j) and 844(b), and 27 C.F.R. Sections 55.201, et. seq.

COUNT 5

On or about August 28, 2006, in Fort Lauderdale, Broward County, in the Southern District of Florida, the defendant,

DAVID NEAL KELLERMAN,

did knowingly possess machine guns, any one of which would be a

violation, that is one Indian Ordnance Factories 9MM machine gun, serial number A1054; one Bulgarian AK-47 fully automatic Assault Rifle, serial number BP4430; one Russian model PPSH 41, 7.65MM machine gun, all in violation of Title 18, United States Code, Sections 922(o) and 924(a)(2).

COUNT 6

On or about August 28, 2006, in Fort Lauderdale, Broward County, in the Southern District of Florida, the defendant,

DAVID NEAL KELLERMAN,

did knowingly possess a firearm, as that term is defined in Title 26, United States Code, Section 5845(a), that is, a silencer, serial number 353567, which firearm was not registered to the defendant in the National Firearms Registration and Transfer Record as required by Title 26, United States Code, Section 5841, in violation of Title 26, United States Code, Sections 5861(d) and 5871.

COUNT 7

On or about August 28, 2006, in Fort Lauderdale, Broward County, in the Southern District of Florida, the defendant,

DAVID NEAL KELLERMAN,

did knowingly possess a firearm, as that term is defined in Title 26, United States Code, Section 5845(a), that is, a silencer, which firearm was not identified by a serial number as required by Title 26, United States Code, Section 5842, in violation of Title 26, United States Code, Sections 5861(i) and 5871.

COUNT 8

On or about August 22, 2006, in the Special Maritime and Territorial jurisdiction of the United States, Title 18, United States Code, Section 7 (9) (A), that is the United States Military Base at Bagram Airfield, Afghanistan, and elsewhere, the defendant,

DAVID NEAL KELLERMAN,

a national of the United States, did knowingly and without authorization by the Secretary of the Treasury as provided in Title 18, United States Code, Section 925(d), attempt to import and bring into the United States firearms, that is: one .45 cal. M3A1 sub machine gun ,U.S. No 739331; two AK-47 assault rifles; one shotgun ID number 1J58; one Tokarev style pistol (Pakistani copy); and one Makarov style pistol (Pakistani copy); in violation of Title 18, United States Code, Section 922(1).

COUNT 9

On or about August 22, 2006, in the Special Maritime and Territorial jurisdiction of the United States, Title 18, United States Code, Section 7 (9) (A), that is the United States Military Base at Bagram Airfield, Afghanistan, and elsewhere, the defendant,

DAVID NEAL KELLERMAN,

a national of the United States, knowingly concealed stolen firearms and ammunition, that is: one .45 cal. M3A1 sub machine gun ,U.S. No 739331; two AK-47 assault rifles; one shotgun ID number 1J58, and two boxes of shotgun shells, which had been shipped or transported

in interstate and foreign commerce, knowing and having reasonable cause to believe the firearms and ammunition were stolen, in violation of Title 18, United States Code, Sections 922(j) and 924(a)(2).

COUNT 10

On or about August 22, 2006, in the Special Maritime and Territorial jurisdiction of the United States, Title 18, United States Code, Section 7 (9)(A), that is the United States Military Base at Bagram Airfield, Afghanistan, and elsewhere, the defendant,

DAVID NEAL KELLERMAN,

a national of the United States, not being a licensee under the provisions of Chapter 40 of Title 18, United States Code, knowingly attempted to transport and cause to be transported in foreign commerce from Afghanistan to the United States, explosive materials, that is: approximately thirty-two-and-one-half (32.5) pounds of M112 and M118 C4 explosives, four (4) Fragmentation Grenades, seven (7) Concussion Grenades, one spool of Detonator Cord, forty-six (46) M81 Igniters, six (6) MD1 Shock Tubes and five (5) time fused cords; in violation of Title 18, United States Code, Sections 842(a)(3)(A) and 844(a).

COUNT 11

On or about August 22, 2006, in the Special Maritime and Territorial jurisdiction of the United States, Title 18, United States Code, Section 7 (9)(A), that is the United States Military

Base at Bagram Airfield, Afghanistan, and elsewhere, the defendant,

DAVID NEAL KELLERMAN,

a national of the United States, knowingly attempted to transport and ship explosive materials, that is: approximately thirty-two-and-one-half (32.5) pounds of M112 and M118 C4 explosives, four (4) Fragmentation Grenades, seven (7) Concussion Grenades, one spool of Detonator Cord, forty-six (46) M81 Igniters, six (6) MD1 Shock Tubes and five (5) time fused cords; knowing and having reasonable cause to believe, the explosive materials were stolen, in violation of Title 18, United States Code, Sections 842(h) and 844(a).

COUNT 12

On or about August 22, 2006, in the Special Maritime and Territorial jurisdiction of the United States, Title 18, United States Code, Section 7 (9)(A), that is the United States Military Base at Bagram Airfield, Afghanistan, and elsewhere, the defendant,

DAVID NEAL KELLERMAN,

a national of the United States, did knowingly and willfully conceal and retain stolen property of the United States, that is, approximately thirty-two-and-one-half (32.5) pounds of M112 and M118 C4 explosives, four (4) Fragmentation Grenades, seven (7) Concussion Grenades, one spool of Detonator Cord, forty-six (46) M81 Igniters, six (6) MD1 Shock Tubes and five (5) time fused cords, of a value in excess of \$1,000.00, with intent to convert said property to his own use, then knowing said property to have been stolen, in

violation of Title 18, United States Code, Section 641.

COUNT 13

From on or about June 24, 2006 to on or about August 22, 2006, in the Special Maritime and Territorial jurisdiction of the United States, Title 18, United States Code, Section 7 (9) (A), that is the United States Military Base at Bagram Airfield, Afghanistan, Mazar-I-Sharif, Afghanistan, and elsewhere, the defendants,

**DAVID NEAL KELLERMAN, and
SHAWN PATRICK MONAGHAN,
a/k/a Mr. Monster,**

being nationals of the United States, did knowingly and willfully combine, conspire, confederate and agree with each other and with persons known and unknown to the Grand Jury to conceal and retain, things of value to the United States Army, that is, C-4 explosives, fragmentation grenades, HE grenades, smoke grenades, blasting caps, detonation cord, firing devices and ammunition; of a value in excess of \$1,000.00, with intent to convert said property to their own use, then knowing said property to have been stolen, in violation of Title 18, United States Code, Section 641,

Object of the Conspiracy

The object of the conspiracy was to steal explosives, ammunition and explosive devices which were the property of the United States Army and secrete these stolen items in an undisclosed location in Afghanistan for later use by the defendant David Kellerman.

Manner and Means of the Conspiracy

1. It was part of the conspiracy that the defendants David Kellerman and Shawn Monaghan would collect, purloin and assemble property belonging to the United States Army, that is C-4 explosives, fragmentation grenades, HE grenades, smoke grenades, blasting caps, detonation cord, firing devices and ammunition.

2. It was part of the conspiracy that the defendant David Kellerman recruited defendant Shawn Monaghan and other individuals to assist him in transporting and concealing C-4 explosives, fragmentation grenades, HE grenades, smoke grenades, blasting caps, detonation cord, firing devices and ammunition which had been stolen from the United States Army.

3. It was further part of the conspiracy that the defendants concealed C-4 explosives, fragmentation grenades, HE grenades, smoke grenades, blasting caps, detonation cord, firing devices and ammunition which had been stolen from the United States Army.

Overt Acts

In furtherance of the conspiracy and to effect the objects thereof, the following overt acts, among others, were committed by one or more of the conspirators:

4. On or about June 24, 2006, the defendant David Kellerman sent an e-mail to "Mr. Monster", a person known to the Grand Jury, requesting that his assistance in collecting and concealing items of United States Army property, to include C-4 explosives,

fragmentation grenades, HE grenades, smoke grenades, blasting caps, detonation cord, firing devices and ammunition.

5. On or about June 26, 2006, "Mr. Monster", a person known to the Grand Jury, responded to the e-mail from the defendant David Kellerman and advised that he would assist the defendant David Kellerman.

6. On or about July 1, 2006, "Mr. Monster", a person known to the Grand Jury sent an e-mail to the defendant David Kellerman advising that they were still looking into possible stash spots for some of the stuff as no one wants to hold onto dangerous stuff.

7. On or about July 2, 2006, the defendant David Kellerman sent an e-mail message to "Mr. Monster", a person known to the Grand Jury, requesting that he give demolition materials, including one case of C4 explosives, one case of satchel charges, TNT blocks, detonation cord, ignitors, fuzes, blasting caps, fragmentation grenades, HE grenades and AK ammunition to another person known to the Grand Jury to conceal.

8. On or about July 4, 2006, "Mr. Monster", a person known to the Grand Jury, sent an e-mail to the defendant David Kellerman advising that he was taking care of the defendant David Kellerman's gear and wishes.

9. On or about July 21, 2006, "Mr. Monster", a person known to the Grand Jury, sent an e-mail to the Defendant David Kellerman advising that his stuff was in good keeping and his wishes had been

done.

10. On or about July 28, 2006, "Mr. Monster", a person known to the Grand Jury, sent an e-mail to the defendant David Kellerman advising that a couple of bricks of AK ammunition, an RPG and some AK magazines had been given to their friend, and that other stuff would be sent shortly.

all in violation of Title 18, United States Code, Section 371.

COUNT 14

From on or about June 24, 2006 to on or about August 22, 2006, in the Special Maritime and Territorial jurisdiction of the United States, Title 18, United States Code, Section 7 (9) (A), that is the United States Military Base at Bagram Airfield, Afghanistan, and elsewhere, the defendants,

**DAVID NEAL KELLERMAN, and
SHAWN PATRICK MONAGHAN,
a/k/a Mr. Monster,**

being nationals of the United States, did knowingly and willfully conceal and retain stolen property of the United States, that is, C-4 explosives, fragmentation grenades, HE grenades, smoke grenades, blasting caps, detonation cord, firing devices and ammunition; of a value in excess of \$1,000.00, with intent to convert said property to their own use, then knowing said property to have been stolen, in violation of Title 18, United States Code, Sections 641 and 2.

COUNT 15

On or about August 26, 2006, in Broward County, in the Southern

District of Florida, the defendant,

DAVID NEAL KELLERMAN,

did knowingly and willfully conceal and retain stolen property of the United States, that is, L594 Projectile Simulators, L312 Signal Illumination White Star Clusters, G940 Green Smoke Grenades, L601 Hand Grenade Simulator M116A1, A063 5.56MM Tracer Ammunition, A066 5.56MM Ball (Plain Tip) Ammunition, A059 5.56MM Ball (Green Tip) Ammunition, L601 Hand Grenade Simulator M116A1, AA53 5.56MM Ball Special Match Long Range Ammunition, AA11 7.62 MM Nato Special Ball Ammunition, and M103 Firing Device Demolition Multi Purpose, of a value in excess of \$1,000.00, with intent to convert said property to his own use, then knowing said property to have been stolen, in violation of Title 18, United States Code, Section 641.

COUNT 16

On or about August 26, 2006, in Broward County, in the Southern District of Florida, the defendant,

DAVID NEAL KELLERMAN,

did knowingly conceal and store stolen ammunition, that is, A063 5.56MM Tracer Ammunition, A066 5.56MM Ball (Plain Tip) Ammunition, A059 5.56MM Ball (Green Tip) Ammunition, AA53 5.56MM Ball Special Match Long Range Ammunition, and AA11 7.62 MM Nato Special Ball Ammunition, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the ammunition was stolen, in violation of Title 18, United States Code,

Section 922(j) and 924(a)(2).

FORFEITURE

1. The allegations of Counts 1 through 11 and Counts 15 and 16 of this indictment are re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeitures to the United States of America of certain property in which the defendant may have an interest, pursuant to the provisions of Title 18, United States Code, Section 924(d)(1), as incorporated by Title 28, United States Code, Section 2461(c), and the procedures outlined in Title 21, United States Code, Section 853.

2. Upon conviction of any of the violations alleged in Counts 2 through 7, the defendant shall forfeit to the United States any firearm or ammunition involved in or used in the commission of said violations, including, but not limited to the following:

- a. 16,550 rounds of .357 caliber ammunition;
- b. approximately 20 feet of detonation cord;
- c. one M115A2 Ground Burst Simulator;
- d. twenty-seven M116A1 Hand Grenade Simulator;
- e. one M110 Artillery Flash Simulator;
- f. one M127A1 Ground Illumination Signal;
- g. three military blasting caps M-39 WRA;
- h. one Fuze Mine, AT Practice, Model M604;
- i. one Indian Ordnance Factories 9MM machine gun,

serial number A1054;

- j. one Bulgarian AK-47 fully automatic Assault Rifle,
serial number BP4430;
- k. one Russian model PPSH 41, 7.65MM machine gun;
- l. one silencer, serial number 353567.
- m. One Tokarav style pistol (Pakistani copy)
- n. One Makarov style pistol (Pakistani copy)
- o. One sawed-off shotgun
- p. L594 Projectile Simulators
- q. L312 Signal Illumination White Star Clusters
- r. G940 Green Smoke Grenades
- s. L601 Hand Grenade Simulator M116A1
- t. A063 5.56MM Tracer Ammunition
- u. A066 5.56MM Ball (Plain Tip) Ammunition
- v. A059 5.56MM Ball (Green Tip) Ammunition
- w. L601 Hand Grenade Simulator M116A1
- x. AA53 5.56MM Ball Special Match Long Range Ammunition
- y. AA11 7.62 MM Nato Special Ball Ammunition
- z. M103 Firing Device Demolition Multi Purpose

All pursuant to Title 18, United States Code, Section 924(d)(1), as incorporated by Title 28, United States Code, Section 2461, and Title 21, United States Code, Section 853.

3. The allegations of Counts 6 and 7 of this indictment are re-alleged and by this reference fully incorporated herein for the

purpose of alleging forfeitures to the United States of America of certain property in which the defendant may have an interest, pursuant to the provisions of Title 26, United States Code, Section 5872(a), as incorporated by Title 28, United States Code, Section 2461(c), and the procedures outlined in Title 21, United States Code, Section 853.

4. Upon conviction of any of the violations alleged in Counts 6 and 7, the defendant shall forfeit to the United States any firearm involved in or used in the commission of said violations, including, but not limited to, the following:


- a. one silencer, serial number 353567;
- b. one silencer without serial number.

All pursuant to Title 26, United States Code, Section 5872(a), as incorporated by Title 28, United States Code, Section 2461, and Title 21, United States Code, Section 853.

A TRUE BILL



R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY



MICHAEL WALLEISA
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES OF AMERICA

CASE NO. 06-60352-CR-ZLOCH(s)(s)(s)

vs.

DAVID NEAL KELLERMAN, et al.

CERTIFICATE OF TRIAL ATTORNEY*

Defendants. /

Superseding Case Information:

Court Division: (Select One)

<u>X</u>	Miami	<u> </u>	Key West	<u> </u>	FTP
	FTL	<u> </u>	WPB	<u> </u>	

New Defendant(s) _____
 Number of New Defendants 1
 Total number of counts 16

Yes X No

I do hereby certify that:

- I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
- I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

- Interpreter: (Yes or No) No
 List language and/or dialect English

- This case will take 11-20 days for the parties to try.

- Please check appropriate category and type of offense listed below:
 (Check only one) (Check only one)

I	0 to 5 days	<u> </u>	Petty	<u> </u>
II	6 to 10 days	<u> </u>	Minor	<u> </u>
III	11 to 20 days	<u>X</u>	Misdem.	<u> </u>
IV	21 to 60 days	<u> </u>	Felony	<u>X</u>
V	61 days and over	<u> </u>		

- Has this case been previously filed in this District Court? (Yes or No)

If yes:

Judge: Case No.

(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) Yes

If yes:

Magistrate Case No. 06-06348-J SSRelated Miscellaneous numbers: Defendant(s) in federal custody as of 10/12/06Defendant(s) in state custody as of Rule 20 from the District of Is this a potential death penalty case? (Yes or No) No

- Does this case originate from a matter pending in the U.S. Attorney's Office prior to April 1, 2003? Yes X No

- Does this case originate from a matter pending in the U. S. Attorney's Office prior to April 1, 1999? Yes X No

If yes, was it pending in the Central Region? Yes No

- Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? Yes X No

- Does this case originate from a matter pending in the Narcotics Section (Miami) prior to May 18, 2003? Yes X No



Michael Walleisa
 ASSISTANT UNITED STATES ATTORNEY
 Florida Bar No. 0539570

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: David Neal Kellerman

Case No: 06-60352-CR-ZLOCH(s)(s)(s)

Count #: 1

Theft of Government Property; in violation of 18 U.S.C. § 641

*** Max. Penalty:** 10 years' imprisonment; \$ 250,000 Fine; 3 years' supervised release

Count #: 2

Possession of Stolen Ammunition; in violation of 18 U.S.C. § 922(j)

*** Max. Penalty:** 10 years' imprisonment; \$ 250,000 Fine; 3 years' supervised release

Counts #: 3 and 4

Improper Storage of Explosives; in violation of 18 U.S.C. § 842(j)

***Max. Penalty:** 1 year imprisonment; \$ 100,000 Fine, 1 year supervised release

Count #: 5

Unlawful Possession of Machine Guns; in violation of 18 U.S.C. § 922(o)

***Max. Penalty:** 10 years' imprisonment; \$ 250,000 Fine; 3 years' supervised release

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: David Neal Kellerman

Case No: 06-60352-CR-ZLOCH(s)(s)(s)

Count #: 6

Possession of Unregistered Firearm (Silencer); in violation of 26 U.S.C. § 5861(d)

*** Max. Penalty:** 10 years' imprisonment; \$ 250, 000 Fine; 3 years' supervised release

Count #: 7

Possessing of Firearm (Silencer) without a serial number;

in violation of 26 U.S.C. § 5861(i)

***Max. Penalty:** 10 years' imprisonment; \$ 250, 000 Fine; 3 years' supervised release

Count #: 8

Attempt to import firearms into United States;

in violation of 18 U.S.C. 922 (l)

***Max. Penalty:** 5 years' imprisonment; \$ 250, 000 Fine; 3 years' supervised release

Count #: 9

Concealing Stolen firearms and ammunition;

in violation of 18 U.S.C. 922 (j)

***Max. Penalty:** 10 years' imprisonment; \$ 250, 000 Fine; 3 years' supervised release

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: David Neal Kellerman

Case No: 06-60352-CR-ZLOCH(s)(s)(s)

Count #: 10

Attempt to transport explosives;

in violation of 18 U.S.C. § 842(a)(3)(A)

*** Max. Penalty:** 10 years' imprisonment; \$ 250, 000 Fine; 3 years' supervised release

Count #: 11

Attempt to transport and ship stolen explosives;

in violation of 18 U.S.C. § 844(h)

***Max. Penalty:** 10 years' imprisonment; \$ 250, 000 Fine; 3 years' supervised release

Counts #: 12 and 14

Concealing and retaining stolen property of United States;

in violation of 18 U.S.C. § 641

***Max. Penalty:** 5 years' imprisonment; \$ 250, 000 Fine; 3 years' supervised release

Count #: 13

Conspiracy to conceal and retain property of United States;

in violation of 18 U.S.C. § 371

***Max. Penalty:** 5 years' imprisonment; \$ 250, 000 Fine; 3 years' supervised release

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: David Neal Kellerman

Case No: 06-60352-CR-ZLOCH(s)(s)(s)

Count #: 15

Theft of Government Property; in violation of 18 U.S.C. § 641

* Max. Penalty: 10 years' imprisonment; \$ 250, 000 Fine; 3 years' supervised release

Count #: 16

Possession of Stolen Ammunition; in violation of 18 U.S.C. § 922(j)

*Max. Penalty: 10 years' imprisonment; \$ 250, 000 Fine; 3 years' supervised release

Count #:

*Max. Penalty:

Count #:

*Max. Penalty:

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: Shawn Patrick Monaghan

Case No: 06-60352-CR-ZLOCH(s)(s)(s)

Count #: 13

Conspiracy to conceal and retain property of United States;

in violation of 18 U.S.C. § 371

***Max. Penalty:** 5 years' imprisonment; \$ 250, 000 Fine; 3 years' supervised release

Count #: 14

Concealing and retaining stolen property of United States;

in violation of 18 U.S.C. § 641

***Max. Penalty:** 5 years' imprisonment; \$ 250, 000 Fine; 3 years' supervised release

Count #:

***Max. Penalty:** _____

Count #:

***Max. Penalty:** _____

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**