



# Department of Justice

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Western District of Wisconsin

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## FEDERAL GRAND JURY RETURNS INDICTMENTS

Madison, Wisconsin -- A federal grand jury in the Western District of Wisconsin, sitting in Madison, returned the following indictments today. You are advised that a charge is merely an accusation and that a defendant is presumed innocent until and unless proven guilty.

### **MILWAUKEE MAN CHARGED WITH THREATENING FEDERAL JUDGE**

John J. Miller, 50, Milwaukee, Wis., is charged in a two-count indictment with threatening to kidnap and murder a federal judge. The indictment alleges that on February 16, 2011, Miller threatened to kidnap and murder a federal judge of the Northern District of Illinois, to retaliate against the judge on account of the performance of his official duties.

Miller faces a maximum penalty of 10 years in federal prison on each count. The charges against him are the result of an investigation by the Federal Bureau of Investigation, U.S. Marshals Service, and Wisconsin State Patrol. The prosecution of this case will be handled by Assistant U.S. Attorney Stephen Ingraham of the Eastern District of Wisconsin.

### **ALTOONA MAN CHARGED WITH GUN & DRUG CRIMES**

George Bensouda, 28, Altoona, Wis., is charged with possessing a firearm with an obliterated serial number and with possessing cocaine with intent to distribute. The indictment alleges that he possessed a pistol and cocaine on November 14, 2010.

Bensouda faces a maximum penalty of 10 years in federal prison on the firearms count and 20 years in federal prison on the drug count. The charges against him are the result of an investigation by the Altoona Police Department and Bureau of Alcohol, Tobacco, Firearms and Explosives. The prosecution of this case has been assigned to Assistant U.S. Attorney Rita M. Rumbelow.

## **MADISON MAN CHARGED WITH DISTRIBUTING CRACK COCAINE**

Kevin D. Tolbert, 34, Madison, Wis., is charged with three counts of distributing crack cocaine. The indictment alleges that he distributed crack cocaine on March 8, 11, and 17, 2011. The indictment further alleges that the amount distributed on March 11 and 17 was 28 grams or more.

If convicted, Tolbert faces a maximum penalty of 20 years in federal prison on count one, and a mandatory minimum penalty of five years and a maximum penalty of 40 years in federal prison on each of the counts which allege distribution of 28 grams or more. The charges against him are the result of an investigation by the Dane County Narcotics and Gang Task Force; Bureau of Alcohol, Tobacco, Firearms and Explosives; and Madison Police Department. The prosecution of this case has been assigned to Assistant U.S. Attorney Elizabeth Altman.

## **MADISON MAN CHARGED WITH ILLEGAL POSSESSION OF FIREARM AND AMMUNITION**

Marcus Moore, 28, Madison, Wis., is charged with being a felon in possession of a firearm and ammunition. The indictment alleges that on January 14, 2011, he possessed a pistol and 39 rounds of ammunition.

If convicted, Moore faces a maximum penalty of 10 years in federal prison. The charge against him is the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms and Explosives and Madison Police Department. The prosecution of this case has been assigned to Assistant U.S. Attorney Rita M. Rumbelow.

## **MAN CHARGED WITH ILLEGAL ENTRY INTO U.S.**

Elias Olvera-Barron, 33, a citizen of Mexico found in Beloit, Wis., is charged with re-entering the United States after previously being deported. The indictment alleges that he was found in the United States on March 3, 2011.

If convicted, Olvera-Barron faces a maximum penalty of 20 years in federal prison. The charge against him is the result of an investigation by U.S. Immigration and Customs Enforcement, Office of Homeland Security Investigations. The prosecution of this case will be handled by United States Attorney John W. Vaudreuil.

## **MAN FACES ADDITIONAL ILLEGAL ENTRY CHARGE**

Cuauhtemoc Lucero-Alvarez, 37, a citizen of Mexico found in Madison, Wis., is

charged in a superseding indictment with two counts of re-entering the United States after previously being deported. The indictment alleges that he was found in the United States on May 25, 2010 and November 19, 2010. An indictment returned by the grand jury on December 8, 2010 charged him with the November 19, 2010 re-entry.

If convicted, Lucero-Alvarez faces a maximum penalty of 10 years in federal prison on each charge. The charges against him are the result of an investigation by U.S. Immigration and Customs Enforcement, Office of Homeland Security Investigations. The prosecution of this case has been assigned to Assistant U.S. Attorney Timothy M. O'Shea.

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