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COURT, DISTRICT OF UTAH

JUN 0 7 2006
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IN THE UNITED STATES DISTRICT COURT DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff.

SHAUN A. WALKER, TRAVIS D. MASSEY, and ERIC G. EGBERT,

Defendants.

SEALED

INDICTMENT

VIO. 18 U.S.C. § 241: CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS; 18 U.S.C. § 245(B)(2)(C): INTERFERENCE WITH FEDERAL PROTECTED ACTIVITY; 18 U.S.C. § 2: AIDING AND ABETTING.

Judge Dale A. Kimball

DECK TYPE: Criminal

DATE STAMP: 06/07/2006 @ 10:59:52 CASE NUMBER: 2:06CR00406 DAK

The Grand Jury charges:

COUNT ONE
18 U.S.C. § 241
(CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS)

The Conspiracy and its Objects:

1. From in or about December 2002, and continuing until in or about March 2003, in and around the Central Division of the District of Utah.

SHAUN A. WALKER

TRAVIS D. MASSEY and

ERIC G. EGBERT

the defendants herein, together and with others known and unknown to the Grand Jury, did unlawfully, willfully, and knowingly combine, conspire, confederate and agree among themselves and each other to injure, oppress, threaten and intimidate other persons in and around Salt Lake City, Utah, in the free exercise and enjoyment of rights and privileges secured by the Constitution and laws of the United States; that is, the right to full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation without intimidation, threat or coercion because of race, color and national origin.

- 2. It was the plan and purpose of this conspiracy to band as a group of members and go into public settings and public accommodations and provoke and engage in arguments and fights with persons the defendants perceived to be "non-white," in order to injure, oppress, threaten and intimidate those persons from exercising their protected rights, including by making such persons afraid to appear in public, work and live in and around Salt Lake City, Utah.
- Overt Acts in Furtherance of the Conspiracy. In furtherance of the Conspiracy, as alleged above, and to accomplish the objects of the Conspiracy, defendants SHAUN A. WALKER.

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TRAVIS D. MASSEY and ERIC G. EGBERT, and others known and unknown to the Grand Jury, committed overt acts in and around Salt Lake City, Utah, including but not limited to:

- 4. On or about December 31, 2002, SHAUN A. WALKER, TRAVIS D. MASSEY and ERIC G. EGBERT, and another person known to the Grand Jury intimidated, threatened, and coerced individuals of minority racial and ethnic heritage in a bar doing business as O'Shucks in Salt Lake City.
- 5. On or about December 31, 2002, SHAUN A. WALKER, TRAVIS D. MASSEY and ERIC G. EGBERT, and another person known to the Grand Jury intimidated, threatened, coerced and assaulted J.B., a Mexican-American male, in or near a bar doing because as O'Shucks in Salt. Lake City.
- 6. On or about March 15, 2003, TRAVIS D. MASSEY and another person known to the Grand Jury intimidated, threatened, coerced and assaulted an individual of Native-American heritage outside of a bar doing business as the Port of Call in Salt Lake City.

All in violation of Title 18, United States Code, Section 241.

COUNT TWO 18 U.S.C. § 245(b)(2)(C) (Interference with a Federally Protected Activity)

7. On or about December 31, 2002, in the Central Division of the District of Utah,

SHAUN A. WALKER

TRAVIS'D. MASSEY and

ERIC G. EGBERT

the defendants herein, while aiding and abetting one another and others, did by force and threat

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of force, willfully injure, intimidate, and interfere with, and attempt to injure, intimidate, and interfere with J.B., a Mexican-American male, because of the individual's national origin, and because he was and had been enjoying employment, and the perquisites thereof, of a private employer.

8. The commission of this offense resulted in bodily injury to J.B., a Mexican-American male.

All in violation of Title 18, United States Code, Section 245(b)(2)(C), and Title 18, United States Code, Section 2.

A TRUE BILL:

FOREPERSON OF THE GRAND JURY

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Acting United States Attorney

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