



# Department of Justice

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## **OPERATION FLEA COLLAR - ALABAMA ICE STRIKES ILLEGAL SUPPLIERS SELLING GUNS AT AREA FLEA MARKETS**

**BIRMINGHAM, ALABAMA:** **OPERATION FLEA COLLAR**, a two year undercover investigation into illegal gun sales at northern Alabama flea markets, has today resulted in the indictment of eleven people and the seizure of 556 firearms.

Alice H. Martin, United States Attorney for the Northern District of Alabama and James M. Cavanaugh Special Agent in Charge of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) announce today that eleven people have been charged in connection with an undercover investigation into the illegal sale of firearms known as **OPERATION FLEA COLLAR**. Special Agents of the ATF along with law enforcement in Alabama for the counties of DeKalb, Etowah, Lauderdale, Lawrence, Madison, Marshal, Morgan, and Jackson, law enforcement in Tennessee for the counties of Lawrence, Bradley and Marion, and law enforcement in Polk County, Georgia investigated the illegal sale of numerous firearms over a two-year period.

According to Martin, the undercover operation focused on the *Trade Day Flea Market* in Collinsville, Alabama (DeKalb County), the *Taco Bet Flea Market* in Dutton, Alabama (Jackson County), and the *Alabama Gun Collector's Gun Show* in Birmingham, Alabama. **OPERATION FLEA COLLAR** showed that the indicted individuals, either from booths or from vehicles on the grounds of the flea markets, sold firearms on a routine and regular basis without a federal firearms license. Undercover law enforcement agents were able to purchase 166 firearms to include pistols, revolvers, shotguns, and a North American Arms .22 caliber mini revolver in a wallet holster.

“Anyone engaged in dealing in firearms must have a FFL - Federal Firearms License, do the required checks on purchasers, and keep sales records. This process protects communities and keeps guns out of the hands of criminals. The individuals indicted today disregarded the safety of citizens when they repeatedly sold firearms to people who told them they were convicted felons and that traveled from other states to

buy a gun” said U. S. Attorney Alice H. Martin

The indictments charge various federal crimes including:

- engaging in the business of dealing in firearms without a license in violation of 18 USC 922 (a)(1)(A)
- knowingly selling a firearm to a person who they believed to be a convicted felon in violation of 18 USC 922(d)
- knowingly selling a firearm to a person who they believed to reside outside the State of Alabama in violation of 18 USC 922(a)(5)
- knowingly possessing a firearm not registered to the seller in the National Firearms Registration and Transfer Record in violation of 26 USC 5861(d)
- knowingly traveling interstate to acquire a firearm in violation of 18 USC 924(n)

According to Martin, at the conclusion of the undercover operation, search warrants were executed on all the indicted individuals and ATF recovered 556 firearms ranging from small caliber handguns to a “Streetsweeper.”

“This investigation exemplifies a successful culmination of police, sheriff’s departments and ATF partnering to stop firearms trafficking,” said ATF S.A.C. James M. Cavanaugh.

According to Martin, tracing by the Bureau of Alcohol, Tobacco, Firearms & Explosives revealed that firearms previously purchased by these defendants were recovered from crime scenes in the following cities: Mobile and Birmingham, AL; McAllen, TX; Washington, D.C. (numerous); Chicago, IL (numerous); Buffalo, NY; Detroit, MI; Atlanta, GA; New York, NY (numerous); Los Angeles, CA; North Carolina; and throughout the Southeast in Alabama, Georgia, and Tennessee. Specifically, one firearm was involved in the attempted murder of a Chicago Police Officer and one was involved in a murder for hire scheme in New York City.

“We know Alabama is considered a “supply” state of crime guns so let me be clear- law enforcement is focused not only on criminals who are buying guns, but also on the suppliers who are illegally engaging in gun sales,” stated U.S. Attorney Martin. “We appreciate licensed dealers and the protection they provide to our communities by following the laws and helping keep firearms out of the hands of prohibited individuals.”

The indictments issued today in United States District Court were filed against:

JAMES EDWARD HANCOCK, 63, of Dutton, Alabama. Charged in seven counts of dealing firearms without a license from March 30, 2003 to November 17, 2004 in Jackson and DeKalb counties. Two of those seven Counts allege the sale of firearms to a convicted felon; and two counts allege the sale of firearms to out-of-state residents. One count charges HANCOCK with possession of a *.22 caliber mini revolver in a wallet holster* that was not registered to him in the *National Firearms Transfer and Registration Record*. He is additionally charged with selling that weapon to another individual. HANCOCK, if convicted, faces a maximum sentence of five years in prison and a fine of \$250,000 for each count charging him with dealing firearms without a license. He could also face an additional ten years in prison and a fine of \$250,000 on each count charged for the sale of a firearm to a convicted felon. HANCOCK also faces up to ten

years in prison and a fine of \$250,000 for the unregistered weapon and the same punishment for the sale of that weapon if convicted on those two counts.

ROBERT DONALD COATS, 70, of Rockmart, Georgia. Charged with three counts of dealing in firearms without a license from February 28, 2004 to September 25, 2005 in DeKalb County, traveling interstate to deal in firearms without a license and with selling firearms to an out-of-state resident. COATS, if convicted, faces a prison sentence of up to five years and a fine of \$250,000 for each on two counts and five years in prison and a fine of \$250,000 for the sale of a firearm to an out-of-state resident.

TEDDY NEAL HILL, 69 of Boaz, Alabama is charged with two counts of dealing in firearms without a license from February 28, 2004 to November 16, 2004 in DeKalb County, Alabama. He is additionally charged with one count of selling a firearm to an out-of-state resident. HILL, if convicted, faces a prison sentence of five years and a fine of \$250,000 for each count charging him with selling firearms without a license and selling a firearm to an out-of-state resident.

HIXON EUGENE PADGETT, 73, of Fiffe, Alabama. Charged with two counts of dealing in firearms without a license from June 27, 2004 to November 6, 2004 in DeKalb and Jackson Counties. He is additionally charged with one count of selling a firearm to an out-of-state resident. PADGETT faces five years in prison and a fine of \$250,00 on each count if convicted.

JAMES HERMAN SMART, 59 of Scottsboro, Alabama. Charged with two counts of dealing in firearms without a license from June 27, 2004 to October 17, 2004 in Jackson County. He is additionally charged with one count of selling firearm to an out-of-state resident. SMART faces five years in prison and a fine of \$250,000 on each count if convicted.

JESSIE WILTON THOMPSON, 78 of Gadsden, Alabama. Charged with two counts of dealing in firearms without a license from February 28, 2004 to November 6, 2004 in DeKalb and Etowah Counties. He is also charged with one count of selling firearm to an out-of-state resident. THOMPSON, if convicted faces five years in prison and a fine of \$250,000 for each count charged if convicted.

EDDIE RAY WILBANKS, 48 of Jasper, Tennessee. Charged with three counts of dealing in firearms without a license from July 13, 2003 to October 17, 2004 in Jackson County and traveling interstate commerce to deal in firearms without a license. Further the indictment charges that on December 14, 2003, WILBANKS sold a Smith & Wesson .40 caliber pistol to a convicted felon. If convicted of dealing in firearms without a license WILBANKS faces a prison sentence of five years and a fine of \$250,000. If convicted of selling a firearm to a convicted felon he will face a maximum sentence of ten years and a fine of \$250,000.

Criminal Informations have also been filed against the following individuals:

- JAMES ALLEN BAILEY, 66 of Altoona, Alabama. Charged with one count of dealing firearms without a license from February 28, 2004 to November 16, 2004 in DeKalb County. BAILEY faces five years in prison and a fine of \$250,000 if convicted.

- GLEN EDWARD STEWART, 55 of Albertville, Alabama is charged with one count of dealing firearms without a license from March 20, 2004 to November 6, 2004 in DeKalb, Jefferson and Marshal Counties. He is additionally charged with one count of selling a firearm to an out-of-state resident. STEWART faces five years in prison and a fine of \$250,000 on each count if convicted.
- BILLY DEAN JAMES, 63 of Gurley, Alabama, is charged with one count of dealing firearms without a license from February 28, 2004 to October 31, 2004 in DeKalb and Jackson Counties. He is also charged with one count selling a firearm to an out-of-state resident. If convicted JAMES faces five years in prison and a fine of \$250,000 on each count.
- DAVID MARCHEL MILLER, 66 of Princeton, Alabama is charged with one count of dealing in firearms without a license from February 28, 2004 to November 16, 2004 in DeKalb County. He is also charged with one count of selling a firearm to an out-of-state resident. MILLER faces five years on each count and a fine of \$250,000 on each count if convicted.

According to U.S. Attorney Martin, the difference between an Indictment and an Information is that when a person is charged with a criminal violation in an Information that person waives the right to a grand jury review of the evidence.

Assistant United States Attorney Alison Blackwell is heading the prosecution of **Operation Flea Collar**. She is also the Project Safe Neighborhoods coordinator for the Northern District of Alabama. Federal Firearms law training is available to local law enforcement and is well known across the Northern District of Alabama as Alabama ICE (*Isolate the Criminal Element*).

“This remarkable flea market investigation magnifies the prosecutorial and investigative partnerships **ALABAMA ICE** has formed to combat the illegal sale of firearms,” stated United States Attorney Alice H. Martin. Members of the public are encouraged to report information about illegal firearm sells to their local law enforcement or to ATF.

Members of the public are reminded that the Indictment or Information contains only charges. A defendant is presumed innocent of the charges, and it will be the government’s burden to prove a defendant’s guilt beyond a reasonable doubt at trial.

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Jill Ellis, Public Information Officer, 205-244-2015