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DORCHESTER COUNTY MAN INDICTED ON FIREARMS CHARGES

Two Assault Rifles Recovered

Baltimore, Maryland - A federal grand jury indicted Michael Preston Tolley, age 34, of Toddville, Maryland, today on charges of being a felon in possession of firearms and ammunition, possession of a firearm with an obliterated serial number and possession of a machine gun, announced United States Attorney for the District of Maryland Rod J. Rosenstein.

The indictment alleges that Tolley illegally possessed one Intratec Model Tec9 9mm semi-automatic pistol; one Colt .45 caliber semi-automatic pistol with an obliterated serial number; one Winchester .270 caliber rifle; one Mossberg 12 gauge shotgun; one Ruger .22 caliber rifle; one Bushmaster .223 caliber machine gun; and approximately 271 rounds of .223 caliber ammunition.

According to the four-count indictment and other court documents, late on September 11, 2008 an officer from the Dorchester County Sheriff's Office was responding to a call concerning automatic gun fire in the area of an auto dealer and observed a yellow Hummer parked on the side of the road in the vicinity of dealership. The officer followed the yellow Hummer onto eastbound Route 50 and executed a traffic stop. When the officer walked up to the vehicle he observed a black assault rifle on the floor by the feet of the rear seat passenger, later identified as Michael Preston Tolley. Recovered from the Hummer were two fully automatic 223/556 caliber assault rifles along with approximately 280 rounds of ammunition, six 30 round magazines, one 20 round magazine, and 38 spent cartridges found throughout the front and back seat of the Hummer. The second assault rifle was found behind Tolley and the barrel was still warm to the touch, indicating that it had recently been fired. Investigation revealed four vehicles at the car dealership with bullet holes in them and broken windows from bullets, causing approximately \$15,000 in damage to the vehicles.

Tolley faces a maximum sentence of 10 years in prison on each count. No court appearance has been scheduled. Tolley remains in federal custody.

An indictment is not a finding of guilt. An individual charged by indictment is presumed innocent unless and until proven guilty at some later criminal proceedings.

United States Attorney Rod J. Rosenstein thanked the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Dorchester County Sheriff's Office and Dorchester County State's Attorney William H. Jones and his office for their work in this investigation and prosecution. Mr. Rosenstein commended Assistant United States Attorney Christopher J. Romano, who is prosecuting the case.