



Department of Justice

*United States Attorney
Northern District of California*

*11th Floor, Federal Building
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102*

(415) 436-7200

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RINGLEADER IN STOLEN EXPLOSIVES CASE SENTENCED TO 51 MONTHS

716 Pounds of Explosives Stolen

The United States Attorney's Office for the Northern District of California announced that Michael Allan was sentenced today to 51 months in prison for his involvement in stealing explosive materials from law enforcement bunkers in San Mateo County in July 2004.

Mr. Allan, 46, was indicted by a federal grand jury on July 23, 2004. In that indictment, he was charged with 11 felony counts related to stealing, transporting, and distributing the explosive materials. On November 12, 2004, he pled guilty to one count of conspiracy to steal explosives, and two counts of stealing explosives.

In the plea agreement, Allan admitted that on Friday, July 2, 2004, he drove a stolen van to the Crystal Springs Reservoir area in San Mateo County. Using bolt cutters, Allan cut the locks off one of the entrance gates and drove into the reservoir area where he found the law enforcement bunkers (called “magazines”) used to store explosive materials. Allan used the bolt cutters to cut the locks off two of the magazines. He stole the explosives from these two bunkers and left. At that time, he was unable to break through the locks on the remaining magazines. Later that night, Allan met an acquaintance, co-defendant Dean Utile, at a storage unit in Hayward, California. Allan and Utile stored the stolen explosives in that unit and they agreed to return to the reservoir area later to break into the remaining magazines and steal their contents.

As planned, on the night of July 5, 2004, Mr. Utile and Mr. Allan, now driving a second stolen van, returned to the reservoir area. This time they brought a blow torch and an oxygen tank, which they used to cut through the remaining locks that Allan had not been able to cut through on July 2. Allan and Utile loaded the remaining explosives into the van and returned to the storage unit in Hayward. Determining it was too full, they arranged to use an acquaintance’s storage unit in Oakland. They took the explosives there and stored them.

The stolen explosives included C4, grenades, grenade simulators, detonation cord, dynamite, fuses, and blasting caps. The total weight of the stolen explosive materials was 716 pounds.

The 51 month sentence was handed down by U.S. District Court Judge D. Lowell Jensen in Oakland following Mr. Allan’s guilty plea to one count of conspiring to steal explosives, in violation of 18 U.S.C. § 371; and two counts of theft of explosives in violation of 18 U.S.C. § 844(k). Judge Jensen also sentenced the defendant to a 3 year term of supervised release following his prison term. Mr. Allan has been in federal custody since he was arrested in July 2004. During the sentencing hearing, Allan apologized to his family, co-defendants, and the citizens of this country.

All four men involved in stealing and receiving these explosive materials have pleaded guilty and are in custody. On February 4, 2005, Gregory Sherinian was sentenced to 37 months in prison. The remaining two co-defendants, Timothy Byrd and Dean Utile, are scheduled to be sentenced next Friday, February 18, at 10:00 a.m. before Judge Jensen.

The prosecution is the result of an intense investigation led by agents of the Bureau of Alcohol, Tobacco, Firearms and Explosives, and involving multiple federal, state, and local agencies. Douglas Sprague is the Assistant United States Attorney prosecuting the case.

A copy of this press release and related court filings may be found on the U.S. Attorney’s Office’s website at www.usdoj.gov/usao/can

<http://www.usdoj.gov/usao/can>>. Related court documents and information may be found on the U.S. District Court website at www.cand.uscourts.gov <http://www.cand.uscourts.gov>> or on <http://pacer.psc.uscourts.gov/>>.<<http://pacer.cand.uscourts.gov/>>

All press inquiries to the U.S. Attorney's Office should be directed to Luke Macaulay at (415) 436-6757 or by email at Luke.Macaulay3@usdoj.gov <mailto:Luke.Macaulay3@usdoj.gov>>.

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