



Department of Justice

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CHARLOTTE DRUG DEFENDANT CONVICTED BY FEDERAL JURY

Jury Convinced Regarding Use of Firearms in Drug Conspiracy

CHARLOTTE, NC - A federal jury in the Western District of North Carolina, Charlotte Division, convicted Dion Coxtton, 33, of Charlotte, following a six-day trial which ended on Wednesday evening, July 30, 2008 with a guilty verdict. The return of the guilty verdict concluded an investigation of drug trafficking which led to the indictment of four (4) individuals on federal drug and firearms violations in September 2005. The federal indictment included charges of conspiracy to possess with intent to distribute "crack" cocaine. Three of the defendants earlier entered guilty pleas in U.S. District Court to various counts of possession with intent to distribute illegal drugs and to violations of the federal firearms laws.

Today's announcement of the guilty verdict is made by U.S. Attorney Gretchen C.F. Shappert. Joining U.S. Attorney Shappert in making today's announcement are Zebedee T. Graham, Special Agent in Charge of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) for North and South Carolina, and Chief Rodney Monroe of the Charlotte-Mecklenburg Police Department.

A federal indictment charging Dion Coxtton, along with three other individuals was initially filed in 2005 in United States District Court. To date all four of the defendants have been either convicted at trial or have entered pleas of guilty. The charges represent the results of a local investigation which stemmed from a August 2004 shooting at the Greenbrier Apartment Complex, in Charlotte, and focused on a group operating in and around the Charlotte metro area. The indictment alleged that all four defendants were participants of a drug conspiracy in which they were involved during July and August 2004, in Mecklenburg County, and elsewhere within the Western District of North Carolina. In addition to the drug conspiracy and possession counts, the indictment also included several individual counts alleging possession of a firearm during and in relation to a drug trafficking crime and possession of a firearm by a convicted felon.

According to the evidence presented at the trial of Defendant Dion Coxtton, who was tried on a Second Superseding Indictment which included additional firearms-related counts, members of the conspiracy operated a "crack" cocaine distribution network which included operations in and around Charlotte and involved more than 50 gams of "crack". Witnesses described trafficking in "crack," and drug deals gone awry.

At Defendant Dion Coxton's jury trial on a Second Superseding Indictment, testimony and other evidence established that Coxton had conspired with others, including co-defendant Montare Goodman, to distribute more than 50 grams of "crack" cocaine in the Charlotte area during the summer of 2004. Goodman, who had purchased what he later learned was counterfeit "crack" cocaine for \$700 during the conspiracy, met with Coxton on August 3, 2004, to get a firearm in order to rob the counterfeit "crack" cocaine dealers of Goodman's drug proceeds paid earlier for the counterfeit "crack." Coxton agreed to accompany Goodman to assist in the robbery and armed himself with a handgun. Goodman also enlisted co-defendant Royre Ervin to arrange a purchase of "crack" cocaine from the counterfeit "crack" dealers, and Damion Miller to drive Goodman and Coxton to the meeting site. As the meeting between Ervin and murder victim Marvin Clark took place in the parking lot of the Greenbrier Apartment complex off of Sharon Amity Road, Coxton and Goodman ambushed Clark, who attempted to run away. Forensic ballistics evidence and testimony introduced at trial established that Coxton fired at least three rounds from a Hi-Point .380 hand gun, and Goodman fired eight rounds from a .22 caliber long rifle which Goodman had obtained from Erwin. A .22 caliber bullet struck Clark's spine in his neck, causing instant paralysis and death. Goodman snatched several gold chains from the murder victim's neck and on the same day tried unsuccessfully with his co-defendant's to pawn the murder victim's jewelry at two local pawn shops.

According to evidence presented at trial, Coxton's criminal history includes a prior murder conviction in 1991, for which he was imprisoned until November 2003.

United States Attorney Gretchen C.F. Shappert, along with her Assistants, Thomas A. O'Malley and Craig D. Randall, who prosecuted the case at trial, highly commended the Charlotte-Mecklenburg Police Department for their leadership and initiative in this complicated investigation. "When they began, law enforcement officers knew virtually nothing about this drug organization," Shappert said. "It was essential that they develop informants, conduct surveillance, analyze phone records, and interview persons associated with the drug operation and the murder of Marvin Clark in order to put together a case for prosecution in federal court."

Following Wednesday's conviction, U.S. District Judge Frank D. Whitney announced that sentencing of Dion Coxton would take place on a later date. Each of Coxton's co-defendants have already entered guilty pleas and been sentenced. Coxton currently faces a sentence of life imprisonment on the counts on which he was convicted: one count of "crack" cocaine conspiracy, one count of knowing and unlawful use of a firearm during and in relation to a drug trafficking crime, one count of knowing and unlawful use of a firearm during and in relation to a drug trafficking crime in the course of such violation caused the death of a person through the use of the firearms, one count of being a felon in possession of a firearm, and one count of possession with intent to distribute "crack" cocaine.

The case was investigated by Special Agent Terry Tadeo of ATF in Charlotte, Detectives Mike Burke, John Fish and Scott Maxfield of the Charlotte-Mecklenburg Police Department. The case was prosecuted by Assistant U.S. Attorneys Thomas A. O'Malley and Craig D. Randall of the U.S. Attorney's Office, Criminal Division, Charlotte, N.C.

Montare Goodman

Age: 26

Last known residence: Charlotte, NC

Guilty plea entered June 2, 2006 / Awaiting sentencing

Royre Ervin
Age: 26
Last known residence: Charlotte, NC
Sentenced July 19, 2007 to 13 years' imprisonment

Dion Coxton
Age: 33
Last known residence: Charlotte, NC
Convicted by jury following six-day trial on July 30, 2008
In federal custody since October 2005 / Awaiting sentencing

Damion Miller
Age: 30
Last known residence: Charlotte, NC
Sentenced April 23, 2007 to ten years' imprisonment

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