



B. Saul William Gordan, also known as "Willie Gordan", operated the Traffic School in Roane County, Tennessee in June and July 2005. This school operated for the purpose of providing driver education services to individuals charged with certain traffic violations in the General Sessions Court of Roane County, Tennessee. Individuals attending this school paid a \$50.00 fee for an evening of instruction on safe driving.

C. Martin Franklin Miles, also known as "Marty Miles", operated the Roane Independent Driving School in Roane County, Tennessee from August 2005 until the present. This school operates for the purpose of providing driver education services to individuals charged with certain traffic violations in the General Sessions Court of Roane County, Tennessee. Individuals attending this school paid a \$50.00 fee for an evening of instruction on safe driving.

D. David Luke Ridenour, also known as "Doc Ridenour", operated Roane County Probation Services, Inc. in Roane County, Tennessee from 1998 until present. This service operates for the purpose of providing supervision to individuals convicted of a crime and placed on probation in the General Sessions Court of Roane County, Tennessee.

## II. THE EXTORTION

### COUNT ONE

A. The Grand Jury realleges and incorporates herein by reference all allegations contained in paragraphs "A" and "B" of the "Background" section of this Indictment.

B. On or about the 20<sup>th</sup> day of June, 2005, in the Eastern District of Tennessee, the Defendant, THOMAS ALVA AUSTIN, did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce

by extortion, in that the Defendant unlawfully obtained \$2,000 in United States currency not due him or his office from Saul William Gordan, with his consent, under color of official right.

[18 U.S.C. §1951(a)]

COUNT TWO

A. The Grand Jury realleges and incorporates herein by reference all allegations contained in paragraphs "A" and "C" of the "Background" section of this Indictment.

B. On or about the 1<sup>st</sup> day of October, 2005, in the Eastern District of Tennessee, the Defendant, THOMAS ALVA AUSTIN, did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the Defendant unlawfully obtained \$1,000 in United States currency not due him or his office from Martin Franklin Miles, with his consent, under color of official right.

[18 U.S.C. §1951(a)]

COUNT THREE

A. The Grand Jury realleges and incorporates herein by reference all allegations contained in paragraphs "A" and "C" of the "Background" section of this Indictment.

B. On or about the 10<sup>th</sup> day of November, 2005, in the Eastern District of Tennessee, the Defendant, THOMAS ALVA AUSTIN, did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the Defendant unlawfully obtained \$2,000 in United States currency not due him or his office from Martin Franklin Miles, with his consent, under color of official right.

[18 U.S.C. §1951(a)]

COUNT FOUR

A. The Grand Jury realleges and incorporates herein by reference all allegations contained in paragraphs "A" and "C" of the "Background" section of this Indictment.

B. On or about the 18<sup>th</sup> day of November, 2005, in the Eastern District of Tennessee, the Defendant, THOMAS ALVA AUSTIN, did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the Defendant unlawfully obtained \$2,000 in United States currency not due him or his office from Martin Franklin Miles, with his consent, under color of official right.

[18 U.S.C. §1951(a)]

COUNT FIVE

A. The Grand Jury realleges and incorporates herein by reference all allegations contained in paragraphs "A" and "C" of the "Background" section of this Indictment.

B. On or about the 6<sup>th</sup> day of December, 2005, in the Eastern District of Tennessee, the Defendant, THOMAS ALVA AUSTIN, did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the Defendant unlawfully obtained \$3,750 in United States currency not due him or his office from Martin Franklin Miles, with his consent, under color of official right.

[18 U.S.C. §1951(a)]

COUNT SIX

A. The Grand Jury realleges and incorporates herein by reference all allegations contained in paragraphs "A" and "C" of the "Background" section of this Indictment.

B. On or about the 15<sup>th</sup> day of December, 2005, in the Eastern District of Tennessee, the Defendant, THOMAS ALVA AUSTIN, did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the Defendant unlawfully obtained \$2,000 in United States currency not due him or his office from Martin Franklin Miles, with his consent, under color of official right.

[18 U.S.C. §1951(a)]

#### COUNT SEVEN

A. The Grand Jury realleges and incorporates herein by reference all allegations contained in paragraphs "A" and "D" of the "Background" section of this Indictment.

B. On or about the 2<sup>nd</sup> day of October, 2005, in the Eastern District of Tennessee, the Defendant, THOMAS ALVA AUSTIN, did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the Defendant unlawfully obtained a Compaq Presario Notebook Computer, Serial No. SCNF5341KVK not due him or his office from David Luke Ridenour, with his consent, under color of official right.

[18 U.S.C. §1951(a)]

#### FORFEITURE ALLEGATION

As a result of the commission of the offenses charged in Counts One through Seven of this Indictment, the Defendant shall forfeit to the United States any and all property, real and personal, which constitutes or is derived from proceeds traceable thereto, including but not limited to:

- (a) Compaq Presario Notebook Computer, serial number SCNF5341KVK; and
- (b) \$12,750.00 in United States currency.

In the event that any property, real and personal, which constitutes and is derived from proceeds traceable to the extortion offense described in this Indictment as a result of any act and omission of the Defendant (1) cannot be located upon the exercise of due diligence; (2) has been transferred and sold to, and deposited with a third party; (3) has been placed beyond the jurisdiction of the Court; (4) has been substantially diminished in value; and (5) has been commingled with other property which cannot be divided without difficulty, the Defendant shall forfeit any other property of the Defendant up to the value of property subject to forfeiture pursuant to the offenses charged herein.

[18 U.S.C. §§ 981(a)(1)(c); 1956(c)(7); 1961(1); 28 U.S.C. 2461(c); 21 U.S.C. § 853(p) as incorporated in 28 U.S.C. 2461(c)].

### III. THE MONEY LAUNDERING

#### COUNT EIGHT

On or about the 11<sup>th</sup> day of October, 2005, in the Eastern District of Tennessee, defendant, THOMAS ALVA AUSTIN, with the intent to conceal and disguise the nature, location, source, ownership and control of property he believed to be the proceeds of specified unlawful activity, did knowingly and willfully conduct and attempt to conduct a financial transaction affecting interstate commerce which involved property represented by David Luke Ridenour, at the direction of a Special Agent of the Federal Bureau of Investigation, to be proceeds of specified unlawful activity, to wit: the defendant, THOMAS ALVA AUSTIN, accepted from David Luke Ridenour \$1,119.78 in United States currency which David Luke Ridenour obtained by cashing a check which THOMAS ALVA AUSTIN gave to David Luke Ridenour, said check having been to purportedly pay David Luke Ridenour for the Compaq Presario Notebook Computer, Serial No. SCNF5341KVK that David Luke Ridenour gave

to THOMAS ALVA AUSTIN and which was involved in the extortion offense described in Count Seven above.

[18 U.S.C. §1956(a)(3)(B)]

FORFEITURE ALLEGATION

As a result of the commission of the offense charged in Count Eight of this Indictment, the Defendant shall forfeit to the United States any and all property, real and personal, involved in such offense, or any property traceable to such property, including but not limited to:

- (a) \$1,119.78 in United States currency; and
- (b) 1998 Dodge 1500 Ram, VIN 1B7HF16Z9WS646986.

In the event that any property, real and personal, involved in such offense, or any property traceable to such property involved in the money laundering offense described in this Indictment as a result of any act and omission of the Defendant (1) cannot be located upon the exercise of due diligence; (2) has been transferred and sold to, and deposited with a third party; (3) has been placed beyond the jurisdiction of the Court; (4) has been substantially diminished in value; and (5) has been commingled with other property which cannot be divided without difficulty, the Defendant shall forfeit any other property of the Defendant up to the value of property subject to forfeiture pursuant to the offenses charged herein.

[18 U.S.C. § 982(a)(1); 21 U.S.C. § 853(p), as incorporated in 18 U.S.C. § 982(b)(1)].

A TRUE BILL:

s/Foreperson  
FOREPERSON

JAMES R. DEDRICK  
ACTING UNITED STATES ATTORNEY

s/Charles E. Atchley, Jr  
CHARLES E. ATCHLEY, JR.  
Assistant United States Attorney