

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SAINT JOSEPH DIVISION**

UNITED STATES OF AMERICA,	)	Case No. 13- _____ -01-CR-SJ- _____
	)	
Plaintiff,	)	COUNT ONE:
	)	Aiding and Abetting Possession of
	)	a Firearm by a Prohibited Person
SCOTT THOMAS COATES,	)	18 U.S.C. §§ 922(g)(9), 924(a)(2) and 2
[DOB: 09/23/1971]	)	NMT Ten Years Imprisonment
	)	NMT \$250,000 Fine
Defendant.	)	NMT Three Years Supervised Release
	)	Class C Felony
	)	
	)	\$100 Special Assessment

INDICTMENT

THE GRAND JURY CHARGES THAT:

Background

1. On or about November 16, 2005, Corey Andrew Barr was convicted of 3rd Degree Domestic Assault in the Circuit Court of Buchanan County, Missouri, Case No. 05-BU-CR03249, and sentenced to probation for a term of 2 years. This conviction qualifies as a misdemeanor crime of domestic violence as defined by 18 U.S.C. § 921(a)(33)(A). Federal law prohibits persons convicted of a misdemeanor crime of domestic violence from possessing a firearm.

2. On or about February 1, 2006, the probation granted to Corey Andrew Barr in Case No. 05-BU-CR03249 was revoked and he was sentenced to 69 days in jail.

3. On or about June 3, 2009, Corey Andrew Barr was convicted of 3rd Degree Domestic Assault in the Circuit Court of Buchanan County, Missouri, Case No. 09-BU-CR00415, and was sentenced to 252 days in jail, however, the execution of that sentence was

suspended and he was placed on probation for a term of 2 years. This conviction qualifies as a misdemeanor crime of domestic violence as defined by 18 U.S.C. § 921(a)(33)(A). Federal law prohibits persons convicted of a misdemeanor crime of domestic violence from possessing a firearm.

4. On or about January 8, 2010, the probation granted to Corey Andrew Barr in Case No. 09-BU-CR00415 was revoked and he was sentenced to 252 days in jail.

5. On or about October 18, 2007, during a gang-related shooting near 22nd and Messanie in St. Joseph, Missouri, Corey Andrew Barr not only possessed a firearm but brandished and repeatedly discharged the firearm by firing shots at other persons.

6. On or about October 24, 2007, Corey Andrew Barr was interviewed by defendant Scott Thomas Coates, who was then a detective with the St. Joseph, Missouri Police Department. During the interview, Barr admitted to defendant Coates that Barr had brandished and discharged a Smith and Wesson .40 caliber handgun when he shot at other persons 4 or 5 times during the shootout that occurred on October 18, 2007. Barr also brought this handgun with him to the interview. Defendant Coates merely photographed the gun and allowed Barr to leave with the handgun at the end of the interview.

7. Defendant Coates permitted Barr to leave with and continue illegally possessing the handgun despite the fact that prior to the interview another St. Joseph, Missouri, Police Department detective informed defendant Coates that Barr was prohibited by federal law from possessing a firearm due to Barr's 2005 misdemeanor conviction for domestic violence.

8. Later on October 24, 2007, and after defendant Coates permitted Barr to leave with and continue illegally possessing the handgun, defendant Coates was ordered by a superior officer to locate Barr and seize the handgun. Defendant Coates did so, and obtained the

handgun from Barr later on October 24, 2007. The firearm was a Smith and Wesson .40 caliber handgun, model number SW40VE, serial number RAM1278.

9. Although defendant Coates accepted custody of said firearm from Barr on October 24, 2007, defendant Coates did not book the firearm into evidence at the St. Joseph, Missouri Police Department until July 7, 2009, more than 20 months after defendant Coates accepted custody of the firearm from Barr.

10. On or about September 1, 2010, defendant Coates caused the Smith and Wesson .40 caliber handgun, serial number RAM1278, to be returned to Corey Barr, despite the fact that Barr was still prohibited by federal law from possessing any firearm due to at least one if not two prior misdemeanor convictions for domestic violence.

11. On or about September 7, 2010, Corey Andrew Barr was arrested while in possession of said Smith and Wesson .40 caliber handgun.

12. On or about October 10, 2010, Corey Andrew Barr was indicted in United States District Court for the Western District of Missouri on a charge of illegally possessing said firearm due to his prior misdemeanor convictions for domestic violence.

13. On or about August 24, 2011, Corey Andrew Barr pled guilty to illegal possession of said firearm based on his prior misdemeanor convictions for domestic violence.

14. On or about January 4, 2012, Corey Andrew Barr was sentenced to prison for a total term of 47 months by reason of his conviction for possessing said firearm after being convicted of a misdemeanor crime of domestic violence.

COUNT ONE

15. The factual allegations in the Background section of this indictment are incorporated by reference as if fully set forth herein.

16. Between on or about September 1, 2010, and September 7, 2010, in Buchanan County, within the Western District of Missouri, defendant Scott Thomas Coates, did knowingly and unlawfully aid, abet, cause, and encourage the possession of a firearm, in and affecting interstate commerce, by Corey Andrew Barr, who defendant Scott Thomas Coates knew had been previously convicted of a misdemeanor crime of domestic violence, and said firearm had been transported in interstate commerce, said firearm being described as a Smith and Wesson .40 caliber handgun, model number SW40VE, serial number RAM1278.

All in violation of Title 18, United States Code, Sections 922(g)(9), 924(a)(2) and 2.

A TRUE BILL.

/s/ TJ Nigro
FOREPERSON OF THE GRAND JURY

/s/ Phillip Eugene Porter
Phillip Eugene Porter
Deputy United States Attorney
Criminal Division Chief

Dated: 9/24/13
at Kansas City, Missouri

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

CRIMINAL CASE COVER SHEET

Division of Filing ☐ Western ☐ Central ☐ Southwestern	☒ St. Joseph ☐ Southern	Place of Offense <u>Buchanan</u> County and elsewhere	Matter to be Sealed ☐ Secret Indictment ☐ Juvenile
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Defendant Information

Defendant Name Scott Thomas Coates
Alias Name _____
Birthdate 09/23/1971

Related Case Information

Superseding Indictment/Information ☐ Yes ☒ No if yes, original case number _____
New Defendant ☒ Yes ☐ No
Prior Complaint Case Number, if any _____

U.S. Attorney Information

AUSA Phillip Eugene Porter

Interpreter Needed

☐ Yes Language and/or dialect _____
☒ No

Location Status

Arrest Date _____

☐ Currently in Federal Custody

☐ Currently in State Custody

☐ Currently on Bond

Writ Required ☐ Yes ☐ No

Warrant Required ☒ Yes ☐ No

U.S.C. Citations

Total # of Counts 1

Set	Index Key/Code/Offense Level	Description of Offense Charged	Count(s)
1	18:922G.F/7830/4	Unlawful Transport of Firearms, etc.	1
2			
3			
4			
5			

Date 9/24/13

Signature of AUSA /s/ Phillip Eugene Porter