

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 17, 2020

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES DEAN CLOUD, and
DONOVAN QUINN CARTER
CLOUD,

Defendants.

1:19-CR-02032-SMJ

THIRD SUPERSEDING
INDICTMENT

Vio: 18 U.S.C. §§ 2119, 2
Carjacking
(Count 1)

18 U.S.C. § 924(c)(1)(A)(i), (ii)
Brandishing of a Firearm During a
Crime of Violence
(Counts 2, 3, 6)

18 U.S.C. §§ 2109, 1153,
3559(f)(2)
Kidnapping
(Count 4)

18 U.S.C. §§ 113(a)(3), 1153
Assault with a Dangerous Weapon
(Count 5)

1 18 U.S.C. §§ 1111, 1153, 2
2 First Degree Murder
3 (Counts 7,10, 12, 14)

4 18 U.S.C. § 924(c)(1)(A)(i), (ii)
5 Discharge of a Firearm During a
6 Crime of Violence
7 (Count 8,11,13,15,17,19)

8 18 U.S.C. § 1111, 1153
9 Second Degree Murder
10 (Counts 9)

11 18 U.S.C. § 111(a)(1), 1153
12 Assault with Intent to Commit
13 Murder
14 (Counts 16, 18)

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17 The Grand Jury charges:
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19 COUNT 1

20 On or about June 8, 2019, in the Eastern District of Washington, the
21 Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER
22 CLOUD, took a motor vehicle, to wit: a 2007 Chevrolet Silverado, that had been
23 transported, shipped, and received in interstate and foreign commerce from J.V. by
24 force, violence, and intimidation, with the intent to cause death and serious bodily
25 harm, all in violation of 18 U.S.C. §§ 2119, 2.
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COUNT 2

On or about June 8, 2019, in the Eastern District of Washington, the Defendant, JAMES DEAN CLOUD, during and in relation to a crime of violence, for which he may be prosecuted in a court of the United States, to wit: Carjacking, in violation of 18 U.S.C. § 2119, as alleged in Count 1 of this Third Superseding Indictment, did knowingly use, carry, brandish, and possess in furtherance of the Carjacking, a firearm, all in violation of 18 U.S.C. § 924(c)(1)(A)(i), (ii).

COUNT 3

On or about June 8, 2019, in the Eastern District of Washington, the Defendant, DONOVAN QUINN CARTER CLOUD, during and in relation to a crime of violence, for which he may be prosecuted in a court of the United States, to wit: Carjacking, in violation of 18 U.S.C. § 2119, as alleged in Count 1 of this Third Superseding Indictment, did knowingly use, carry, brandish, and possess in furtherance of the Carjacking, a firearm, all in violation of 18 U.S.C. § 924(c)(1)(A)(i), (ii).

COUNT 4

On or about June 8, 2019, in the Eastern District of Washington, the Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER

1 CLOUD, both Indians, who were not parents, grandparents, brothers, sisters, aunts,
2 uncles, or individuals having legal custody of Minor A, did unlawfully kidnap,
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4 abduct, confine, and carry away and hold for ransom or reward or otherwise a
5 person identified as Minor A for a vehicle, and Minor A had not then attained the
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7 age of eighteen years, all within the boundaries of the Yakama Nation Indian
8 Reservation, in Indian Country; in violation of 18 U.S.C. §§ 1201(a)(2), (g)(1),
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10 1153, and 3559(f)(2), 2.

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COUNT 5

On or about June 8, 2019, in the Eastern District of Washington, within the
boundaries of the Yakama Nation Indian Reservation, in Indian Country, the
Defendant, JAMES DEAN CLOUD, an Indian, did knowingly assault J.V. with a
dangerous weapon, that is, a firearm, with intent to do bodily harm; in violation of
18 U.S.C. § 113(a)(3), 1153.

COUNT 6

On or about June 8, 2019, in the Eastern District of Washington, the
Defendant, JAMES DEAN CLOUD, during and in relation to a crime of violence,
for which he may be prosecuted in a court of the United States, to wit: Assault with
a Dangerous Weapon, in violation of 18 U.S.C. §§ 113(a)(3), § 1153, as alleged in

1 Count 5 of this Third Superseding Indictment, did knowingly use, carry, brandish,
2 and possess in furtherance of the Assault with a Dangerous Weapon, a firearm, all
3 in violation of 18 U.S.C. § 924(c)(1)(A)(i), (ii).
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7 COUNT 7

8 On or about June 8, 2019, in the Eastern District of Washington, within the
9 external boundaries of the Yakama Nation Indian Reservation, in Indian Country,
10 the Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER
11 CLOUD, both Indians, willfully, deliberately, maliciously, and with premeditation
12 and malice aforethought, did unlawfully kill D.O. by shooting him with a rifle, and
13 did aid and abet the same; all in violation of 18 U.S.C. §§ 1153, 1111, 2.
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17 COUNT 8

18 On or about June 8, 2019, in the Eastern District of Washington, the
19 Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER
20 CLOUD, during and in relation to a crime of violence, for which they may be
21 prosecuted in a court of the United States, to wit: First Degree Murder, in violation
22 of 18 U.S.C. §§ 1111, 1153, as alleged in Count 7 of this Third Superseding
23 Indictment, did knowingly use, carry, brandish, possess, and discharge in
24 furtherance of the First Degree Murder, a firearm, and did aid and abet the same;
25 all in violation of 18 U.S.C. § 924(c)(1)(A)(i), (iii), 2.
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COUNT 9

On or about June 8, 2019, in the Eastern District of Washington, the Defendant, JAMES DEAN CLOUD, an Indian, willfully, deliberately, maliciously, and with malice aforethought, did unlawfully kill J.C. by shooting him with a rifle; all in violation of 18 U.S.C. §§ 1153, 1111.

COUNT 10

On or about June 8, 2019, in the Eastern District of Washington, within the external boundaries of the Yakama Nation Indian Reservation, in Indian Country, the Defendant, JAMES DEAN CLOUD, an Indian, willfully, deliberately, maliciously, and with premeditation and malice aforethought, did unlawfully kill C.E. by shooting her with a rifle; all in violation of 18 U.S.C. §§ 1153, 1111.

COUNT 11

On or about June 8, 2019, in the Eastern District of Washington, the Defendant, JAMES DEAN CLOUD, during and in relation to a crime of violence, for which he may be prosecuted in a court of the United States, to wit: First Degree Murder, in violation of 18 U.S.C. §§ 1111, 1153, as alleged in Count 10 of this Third Superseding Indictment, did knowingly use, carry, brandish, possess, and discharge in furtherance of the First Degree Murder, a firearm; all in violation of 18 U.S.C. § 924(c)(1)(A)(i), (iii).

COUNT 12

On or about June 8, 2019, in the Eastern District of Washington, within the external boundaries of the Yakama Nation Indian Reservation, in Indian Country, the Defendant, JAMES DEAN CLOUD, an Indian, willfully, deliberately, maliciously, and with malice aforethought, did unlawfully kill M.S. by shooting her with a rifle; all in violation of 18 U.S.C. §§ 1153, 1111.

COUNT 13

On or about June 8, 2019, in the Eastern District of Washington, the Defendant, JAMES DEAN CLOUD, during and in relation to a crime of violence, for which he may be prosecuted in a court of the United States, to wit: First Degree Murder, in violation of 18 U.S.C. §§ 1111, 1153, as alleged in Count 12 of this Third Superseding Indictment, did knowingly use, carry, brandish, possess, and discharge a firearm in furtherance of the First Degree Murder, a firearm; all in violation of 18 U.S.C. § 924(c)(1)(A)(i), (iii).

COUNT 14

On or about June 8, 2019, in the Eastern District of Washington, within the external boundaries of the Yakama Nation Indian Reservation, in Indian Country, the Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER CLOUD, both Indians, willfully, deliberately, maliciously, and with premeditation

1 and malice aforethought, did unlawfully kill T.H. by shooting him with a rifle, and
2 did aid and abet the same; all in violation of 18 U.S.C. §§ 1153, 1111, 2.
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4 COUNT 15

5 On or about June 8, 2019, in the Eastern District of Washington, the
6 Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER
7 CLOUD, during and in relation to a crime of violence, for which they may be
8 prosecuted in a court of the United States, to wit: First Degree Murder, in violation
9 of 18 U.S.C. §§ 1111, 1153, as alleged in Count 14 of this Third Superseding
10 Indictment, did knowingly use, carry, brandish, possess, and discharge in
11 furtherance of the First Degree Murder, a firearm, and did aid and abet the same;
12 all in violation of 18 U.S.C. § 924(c)(1)(A)(i), (iii), 2.
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17 COUNT 16

18 On or about June 8, 2019, in the Eastern District of Washington, within the
19 external boundaries of the Yakama Nation Indian Reservation, in Indian Country,
20 the Defendant, DONOVAN QUINN CARTER CLOUD, an Indian, did knowingly
21 assault E.Z. with intent to commit murder by shooting her with a firearm; in
22 violation of 18 U.S.C. § 113(a)(1), 1153.
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25 COUNT 17

26 On or about June 8, 2019, in the Eastern District of Washington, the
27 Defendant, DONOVAN QUINN CARTER CLOUD, during and in relation to a
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1 crime of violence, for which he may be prosecuted in a court of the United States,
2 to wit: Assault with Intent to Commit Murder, in violation of 18 U.S.C. §§
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4 113(a)(1), § 1153, as alleged in Count 16 of this Third Superseding Indictment, did
5 knowingly use, carry, brandish, and possess and discharge a firearm in furtherance
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7 of the Assault with Intent to Commit Murder; all in violation of 18 U.S.C. §
8 924(c)(1)(A)(i), (iii).

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10 COUNT 18

11 On or about June 8, 2019, in the Eastern District of Washington, within the
12 boundaries of the Yakama Nation Indian Reservation, in Indian Country, the
13 Defendant, DONOVAN QUINN CARTER CLOUD, an Indian, did knowingly
14 assault L.L. with intent to commit murder by shooting him with a firearm; in
15 violation of 18 U.S.C. § 113(a)(1), 1153.
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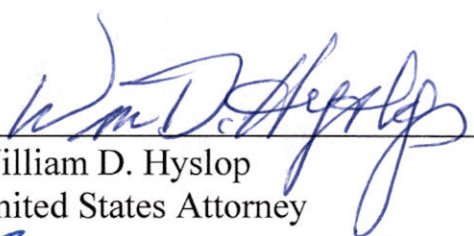
18 COUNT 19

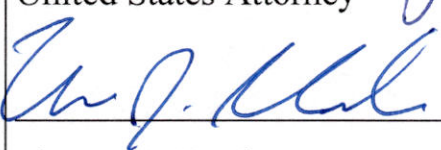
19 On or about June 8, 2019, in the Eastern District of Washington, the
20 Defendant, DONOVAN QUINN CARTER CLOUD, during and in relation to a
21 crime of violence, for which he may be prosecuted in a court of the United States,
22 to wit: Assault with Intent to Commit Murder, in violation of 18 U.S.C. §§
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24 113(a)(1), § 1153, as alleged in Count 18 of this Third Superseding Indictment, did
25 knowingly use, carry, brandish, and possess and discharge a firearm in furtherance
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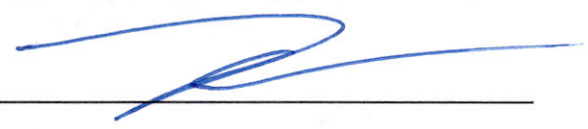
1 of the Assault with Intent to Commit Murder; all in violation of 18 U.S.C. §
2 924(c)(1)(A)(i), (ii).
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4 DATED this 17 day of November, 2020.
5

6 A TRUE BILL
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