

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA )

v. )

CHARLES EUGENE SUBLETT, )

Defendant. )

Criminal No. 10-20006

Count 1: Bulk Cash Smuggling  
31 U.S.C. § 5332

Count 2: False Statements  
18 U.S.C. § 1001

Criminal Forfeiture

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JAN 5 2010

United States District Court  
Western Tennessee

INDICTMENT

THE GRAND JURY CHARGES:

Unless specified otherwise, at all times relevant to this Indictment:

General Allegations

1. CHARLES EUGENE SUBLETT ("SUBLETT") served as a Major in the United States Army, a component of the Department of Defense ("DOD"). The DOD is part of the executive branch of the United States Government. From at least in or around August 2004 until in or around February 2005, SUBLETT was deployed to Balad Regional Contracting Center on Logistical Support Area ("LSA") Anaconda in Iraq.

2. LSA Anaconda was a United States military installation established in approximately 2003 to support United States military operations in Iraq. Located near Balad, Iraq, LSA Anaconda housed approximately 28,000 soldiers and 8,000 civilian contractors.

3. While deployed to LSA Anaconda, SUBLETT served as a United States Army Contract Specialist. SUBLETT was responsible for, among other matters, preparing solicitations for contractors to bid on DOD contracts to provide goods and supplies in support of military operations in Iraq, evaluating bids by DOD contractors, and administering DOD contracts.

4. When DOD owed contractors payment for goods, services, and supplies at LSA Anaconda, the Disbursement Office at LSA Anaconda was responsible for providing the payment. Contractors could request payment on their DOD contracts in various forms, including payment by United States or Iraqi currency. In instances when contractors requested payment in United States currency, for a period of time, the Disbursement Office provided payment in sequentially numbered one-hundred dollar bills.

5. On or about January 11, 2005, SUBLETT caused to be sent a Federal Express package from Balad, Iraq to Killeen, Texas.

6. Among other items, the Federal Express package contained approximately \$107,900 in United States currency, in sequentially numbered one hundred dollar bills, and approximately 17,120,000 in Iraqi dinar, then valued at approximately \$11,607.

7. The International Air Waybill and the Commercial Invoice accompanying the Federal Express package identified the contents of the package as books, papers, jewelry box, and clothes with a total value of \$140. The International Air Waybill and Commercial Invoice for the package did not disclose the currency contained therein.

8. On or about January 14, 2005, agents of the United States Customs and Border Protection seized the Federal Express package and the contents therein.

9. As required by federal law, to wit: 31 U.S.C. § 5316, when transporting currency in amounts over ten thousand dollars into or out of the United States, the sender is required to file a Currency or Monetary Instruments Transaction Report ("CMIR"). Pursuant to this requirement, the shipper must file the CMIR with the Commissioner of Customs in Washington, D.C. by mail on or before the date of entry, departure, mailing, or shipping.

10. Sublett failed to file a CMIR with the Commissioner of Customs on or before the

date of entry, departure, mailing, or shipping of the Federal Express package.

**COUNT ONE**  
**(Bulk Cash Smuggling)**

11. The Grand Jury realleges paragraphs 1 through 10 as though fully stated herein.

12. On or about January 11, 2005, in Iraq, the Western District of Tennessee, and elsewhere, the defendant,

**CHARLES EUGENE SUBLETT,**

did, with the intent to evade the currency reporting requirements contained in Title 31, United States Code, Sections 5316(a)(1)(B) and 5316(b), knowingly conceal more than \$10,000 in monetary instruments, to wit: approximately \$107,900 in United States currency and 17,120,000 in Iraqi dinar, in an express mail container, and did knowingly transport and transfer and attempt to transport and transfer such monetary instruments from a place outside the United States, to wit: Balad, Iraq, to a place in the United States, to wit: Killeen, Texas.

In violation of Title 31, United States Code, Section 5332.

**COUNT TWO**  
**(False Statements)**

13. The Grand Jury realleges paragraphs 1 through 10 as though fully stated herein.

14. The United States Customs and Border Protection ("CBP") is a federal law enforcement agency that is part of the United States Department of Homeland Security ("DHS"), an agency within the executive branch of the United States Government.

15. Among other responsibilities, CBP enforces domestic and international customs laws and regulations by controlling, regulating, and facilitating the movement of carriers, people, and commodities between the United States and other nations.

16. Packages reaching a port of entry into the United States must be inspected and

cleared by CBP before entering the United States. Such packages must contain a declaration providing an accurate description of the contents and their value. An International Air Waybill is the declaration used for packages arriving by air. CBP inspects the International Air Waybill of a package when determining whether to allow the package to enter the United States.

17. On or about January 11, 2005, in the Western District of Tennessee, and elsewhere, in a matter within the jurisdiction of the executive branch of the United States Government, the defendant,

**CHARLES EUGENE SUBLETT,**

knowingly and willfully falsified, concealed, and covered up by any trick, scheme, and device a material fact, knowingly and willfully made and caused to be made any material false, fictitious, and fraudulent statement and representation, and knowingly and willfully made and used a false writing and document knowing the same to contain a materially false, fictitious, or fraudulent statement and entry, that is, on the Federal Express air waybill for the bulk cash shipment SUBLETT caused to be sent from Balad, Iraq to Killeen, Texas, SUBLETT stated in part that the contents of the package consisted of books, papers, jewelry box, and clothes with a total value of \$140; when in truth and in fact, as SUBLETT well knew, the package also contained \$107,900 in United States currency and 17,120,000 in Iraqi dinar.

In violation of Title 18, United States Code, Section 1001(a)(1), 1001(a)(2), and 1001(a)(3).

**CRIMINAL FORFEITURE**

18. Pursuant to Title 31, United States Code, Section 5332(b)(2) and Title 28, United States Code, Section 2461(c), the defendant,

**CHARLES EUGENE SUBLETT,**

once convicted of Count One shall forfeit to the United States the following property:

a. Any property, real or personal, which constitutes or is derived from proceeds traceable to the bulk cash smuggling, in violation of 31 U.S.C. § 5332, as charged in Count One, for which SUBLETT is convicted.


b. A sum of money equal to the total amount of proceeds traceable to the bulk cash smuggling, in violation of 31 U.S.C. § 5332, as charged in Count One, for which SUBLETT is convicted.

19. The property to be forfeited in connection with the conviction on Count One includes the following: \$107,900 in United States currency and 17,120,000 in Iraqi dinar, which was shipped under Federal Express air waybill number 8483 9126 8825 and seized on or about January 14, 2005.

**A TRUE BILL**

**RAYMOND N. HULSER**  
Acting Chief  
Public Integrity Section  
Criminal Division  
United States Department of Justice

By: \_\_\_\_\_

  
**Daniel A. Petalas**  
Justin V. Shur  
Trial Attorneys  
Public Integrity Section  
Criminal Division  
United States Department of Justice