

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

FILED

MAR 07 2017


CLERK

UNITED STATES OF AMERICA,

CR 17-cr-10006-CBK

Plaintiff,

SUPERSEDING INDICTMENT

vs.

CONSPIRACY; THEFT BY EMPLOYEE
OF GAMING ESTABLISHMENT ON
INDIAN LAND; AIDING AND
ABETTING

JEREMY KRIS BROWN,
JORDAN ANTHONY RONDELL,
LITO BANBILLA BOLOCON, and
FERN FREYA GILL,

18 U.S.C. §§ 371, 1168(b), and 2

Defendants.

The Grand Jury charges:

COUNT 1

Conspiracy

A. Relevant Persons and Entities:

At all times relevant to this indictment:

1. The Sisseton-Wahpeton Oyate Tribe ("Tribe") is an Indian tribal organization.

2. The Dakota Sioux Casino ("DSC") is a gaming establishment located approximately five miles north of Watertown, in Codington County, State and District of South Dakota. The DSC is also located on the Lake Traverse Indian Reservation and is operated by the Sisseton Wahpeton Oyate Sioux Tribe. Pursuant to an ordinance or resolution, the activity of the DSC is approved by the National Indian Gaming Commission.

3. Defendant Jeremy Kris Brown worked as a blackjack dealer and part-time pit boss at the DSC.

4. Defendant Jordan Anthony Rondell was a customer at the DSC. Rondell frequently played black jack at the DSC.

5. Defendant Lito Banbilla Bolocon worked at the DSC as a pit boss. The pit boss supervises the black jack gaming area.

6. Defendant Fern Freya Gill worked as a blackjack dealer.

B. Introduction:

Beginning in or about December 2015, and continuing through January 1, 2016, in the District of South Dakota and elsewhere, Defendants Jeremy Kris Brown, Jordan Anthony Rondell, Lito Banbilla Bolocon, and Fern Gill, and others known and unknown to the Grand Jury, did knowingly and willfully conspire and agree together and with each other to commit the offense of Theft by an Employee of a Gaming Establishment on Indian Land, in violation of 18 U.S.C. § 1168. Defendants unlawfully conspired to embezzle, abstract, purloin, willfully misapply, and take and carry away with intent to steal, moneys, funds, assets, and other property of the Dakota Sioux Casino, in excess of \$1,000. Defendants acted for the purpose of enriching themselves, and knew of the unlawful purpose of the conspiracy when they participated in it.

C. Object of the Conspiracy:

The object of the Defendants' conspiracy was personal enrichment by unlawfully obtaining gaming chips and money from the DSC, a gaming establishment operated by the Tribe.

D. Manner and Means of the Conspiracy:

1. In December 2015, Defendants devised a plan to cheat the DSC of monies derived during the gambling operations taking place on December 31, 2015 and into January 1, 2016. The agreement was for Rondell to unlawfully make a large sum of money from illegitimate winnings paid by Brown and Gill, and Rondell would then pay-off the other defendants for their participation.

2. As part of the cheat, Rondell would play blackjack while Brown and Gill were working as blackjack dealers. Throughout the night and early morning, Rondell played blackjack for extensive periods of time at the tables where either Brown or Gill were dealing.

3. Brown and Gill agreed to pay Rondell for losing hands. Rondell cashed-out approximately \$10,000 from the DSC after playing at Brown's and Gill's respective blackjack tables.

4. On several occasions, Rondell played three hands at a time, gambling the maximum allowable bet at the DSC, which was \$100 per hand.

5. Bolocon, as pit boss during that night and early morning, would oversee Brown's and Gill's dealing to Rondell. As a practice at the DSC, blackjack dealers would normally change tables throughout a shift of dealing to alter and diminish players' chances of winning. Bolocon knew about the cheat and allowed the cheat to proceed throughout the night of December 31, 2015, and early morning of January 1, 2016. While Rondell was playing and winning the DSC's money, Bolocon would not change dealers. Bolocon, as the pit boss and the supervisor of Defendants Brown and Gill, kept Defendants Brown and Gill dealing to Rondell for long periods of time to maximize Rondell's winnings.

6. As part of the agreement, Brown, Bolocon, and Gill expected Rondell to provide a share of the money he unlawfully obtained as a result of the cheating conspiracy against the DSC.

E. Overt Acts:

In furtherance of the conspiracy and to accomplish the object thereof, Defendants Brown, Rondell, Bolocon, and Gill did commit the following overt acts, as well as others, in the District of South Dakota:

1. Brown dealt blackjack that night to Rondell, and Brown paid Rondell for losing hands of blackjack.

2. Gill dealt blackjack that night to Rondell, and Gill paid Rondell for losing hands of blackjack.

3. Bolocon, as the pit boss and the supervisor of Defendants Brown and Gill, kept Defendants Brown and Gill dealing to Rondell for long periods of time to maximize Rondell's winnings.

4. On January 1, 2016, Rondell cashed-in approximately \$10,100 of the DSC's chips. After the chips were converted into cash, Rondell took and carried away approximately \$10,000 of the moneys, funds, credits, goods, assets, and other property belonging to the DSC.

Defendants' actions were in violation of 18 U.S.C. § 371.

COUNT 2

Theft by Employee of Gaming Establishment on Indian Land

All of the allegations set forth in Count 1 are realleged and incorporated herein. From on or about between December 31, 2015, and January 1, 2016, in the District of South Dakota, Jeremy Kris Brown, Lito Banbilla Bolocon, and

Fern Freya Gill, being employees of the Dakota Sioux Casino, a gaming establishment operated by and for and licensed by an Indian tribe pursuant to an ordinance and resolution approved by the National Indian Gaming Commission, and Jordan Anthony Rondell, an aider and abettor, did embezzle, abstract, purloin, willfully misapply, and take and carry away with intent to steal, moneys, funds, assets, and other property of said casino, in excess of \$1,000, and did aid and abet others in committing the offense, in violation of 18 U.S.C. §§ 1168(b) and 2.

A TRUE BILL:

"REDACTED"

Foreperson

RANDOLPH J. SEILER
UNITED STATES ATTORNEY

By: 