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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

January 2010 Grand Jury

10CR3043 LAB

UNITED STATES OF AMERICA,	)	Case No.	<u>10CR3043</u>	LAB
)			
Plaintiff,	)	<u>I N D I C T M E N T</u>		
)			
v.	)	Title 18, U.S.C.; Sec. 1201(c) -		
	)	Conspiracy to Commit Kidnapping;		
GREGORY RAYMOND DENNY, JR. (1),	)	Title 18, U.S.C.,		
KAREN EVON DENNY (2),	)	Sec. 1201(a)(1) - Kidnapping;		
	)	Title 18, U.S.C., Sec. 913 -		
Defendants.	)	Impersonator Making Arrest or		
	)	Search; Title 18, U.S.C.,		
	)	Sec. 2 - Aiding and Abetting;		
	)	Title 18, U.S.C., Secs. 1036(a)(4)		
	)	and (b)(1) - Entry by False		
	)	Pretenses to the Secure Area of		
	)	Any Airport; Title 18, U.S.C.,		
	)	Sec. 1001(a)(3) - False Statement		
	)	to a Federal Officer		

The grand jury charges:

Count 1

Beginning on a date unknown to the grand jury and continuing up to and including January 15, 2010, within the Southern District of California and elsewhere, defendants GREGORY RAYMOND DENNY, JR. and KAREN EVON DENNY did knowingly and intentionally conspire together and with other persons known and unknown to the grand jury to unlawfully seize, confine, inveigle, decoy, kidnap, abduct and carry away and hold for ransom, reward, and otherwise, Cherriebelle Magada Gabalons Hibbard, who willfully was transported in foreign commerce from San

JDPA:lml:San Diego
7/29/10

1 Diego, California to the Philippines, and did use a means, facility,
2 and instrumentality of interstate and foreign commerce in furtherance
3 of the commission of the offense:

4 OVERT ACTS

5 In furtherance of said conspiracy and to effect and accomplish
6 the objects thereof, the following overt acts, among others, were
7 committed within the Southern District of California and elsewhere:

- 8 1. On or about January 15, 2010, GREGORY RAYMOND DENNY,
9 JR., and KAREN EVON DENNY traveled to the residence of
10 Craig Hibbard and Cherriebelle Magada Gabalonos
11 Hibbard in Hemet, California.
- 12 2. On or about January 15, 2010, GREGORY RAYMOND DENNY,
13 JR., knocked on the Hibbards' door and falsely
14 announced that he was a law enforcement officer.
- 15 3. On or about January 15, 2010, GREGORY RAYMOND DENNY,
16 JR. placed handcuffs on Cherriebelle Magada Gabalonos
17 Hibbard, stated that Cherriebelle Magada Gabalonos
18 Hibbard was in the United States illegally, and that
19 he was there to deport her, and then escorted her from
20 the residence.
- 21 4. On or about January 15, 2010, KAREN EVON DENNY
22 conducted a "pat down" of Cherriebelle Magada
23 Gabalonos Hibbard at a vehicle parked in front of the
24 Hibbard residence in Hemet, California.
- 25 5. On or about January 15, 2010, GREGORY RAYMOND DENNY,
26 JR., and KAREN EVON DENNY transported Cherriebelle
27 Magada Gabalonos Hibbard from Hemet, California to the
28 Murietta Border Patrol Station.

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6. On or about January 15, 2010, at the Murietta Border Patrol Station, GREGORY RAYMOND DENNY, JR., identified himself as a U.S. Marshal and presented a badge and credentials.
7. On or about January 15, 2010, GREGORY RAYMOND DENNY, JR., falsely informed U.S. Border Patrol Agents that he was a Deputy U.S. Marshal and that Cherriebelle Magada Gabalonos Hibbard was the subject of a fugitive arrest warrant issued by Immigration and Customs Enforcement; GREGORY RAYMOND DENNY, JR., requested that the U.S. Border Patrol Agents take her into custody.
8. On or about January 15, 2010, after U.S. Border Patrol Agents refused to take Cherriebelle Magada Gabalonos Hibbard into their custody, GREGORY RAYMOND DENNY, JR., and KAREN EVON DENNY transported Cherriebelle Magada Gabalonos Hibbard to their Kirby Street residence in Hemet, California.
9. On or about January 15, 2010, KAREN EVON DENNY directed GREGORY RAYMOND DENNY, JR. to contact Craig Hibbard by telephone to ensure that an airplane ticket was purchased for Cherriebelle Magada Gabalonos Hibbard to travel to the Philippines, so that it could be picked up on the way to the San Diego Airport.

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- 10. On or about January 15, 2010, while transporting Cherriebelle Magada Gabalonos Hibbard to the San Diego Airport, GREGORY RAYMOND DENNY, JR. stated to Cherriebelle Magada Gabalonos Hibbard that if she did not leave the United States he would arrest her and her husband, Craig Hibbard, and they would go to jail for five years.
- 11. On or about January 15, 2010, GREGORY RAYMOND DENNY, JR., and KAREN EVON DENNY transported Cherriebelle Magada Gabalonos Hibbard to the San Diego Airport.
- 12. On or about January 15, 2010, GREGORY RAYMOND DENNY, JR. escorted Cherriebelle Magada Gabalonos Hibbard to the San Diego Airport security checkpoint.
- 13. On or about January 15, 2010, at the San Diego Airport security checkpoint, GREGORY RAYMOND DENNY, JR. identified himself as a U.S. Marshal, presented credentials and a badge, and informed Transportation Security Administration personnel that he was escorting a prisoner to a flight.
- 14. On or about January 15, 2010, GREGORY RAYMOND DENNY, JR. escorted Cherriebelle Magada Gabalonos Hibbard to the San Diego Airport Boarding Gate area.

All in violation of Title 18, United States Code, Section 1201(c).

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Count 2

On or about January 15, 2010, within the Southern District of California, defendants GREGORY RAYMOND DENNY, JR. and KAREN EVON DENNY did unlawfully seize, confine, inveigle, decoy, kidnap, abduct and carry away and hold for ransom, reward, and otherwise, Cherriebelle Magada Gabalonos Hibbard, who willfully was transported in foreign commerce from San Diego, California to the Philippines, and did use a means, facility, and instrumentality of interstate and foreign commerce in furtherance of the commission of the offense; all in violation of Title 18, United States Code, Sections 1201(a)(1) and 2.

Count 3

On or about January 15, 2010, within the Southern District of California, defendants GREGORY RAYMOND DENNY, JR. and KAREN EVON DENNY did knowingly and falsely represent GREGORY RAYMOND DENNY, JR. to be an officer, agent, and employee of the United States and in such assumed character did arrest and detain Cherriebelle Magada Gabalonos Hibbard; in violation of Title 18, United States Code, Sections 913 and 2.

Count 4

On or about January 15, 2010, within the Southern District of California, defendant GREGORY RAYMOND DENNY, JR., by fraud and false pretenses, to wit: falsely claiming he was a Deputy United States Marshal, entered a secure area of an airport, that is an area access to which is restricted by the airport authority and a public agency, to wit: San Diego International Airport; with the intent to commit a felony therein, to wit: kidnapping; in violation of Title 18, United States Code, Sections 1036(a)(4) and (b)(1).

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1 Count 5

2 On or about January 15, 2010, within the Southern District of
3 California, at the San Diego International Airport, defendant GREGORY
4 RAYMOND DENNY, JR., in a matter within the jurisdiction of the United
5 States, namely, the United States Department of Homeland Security,
6 Transportation Security Administration, a department and agency of the
7 United States, did knowingly and willfully make false, fictitious and
8 fraudulent statements and representations as to material facts in that
9 he did represent and state on a Transportation Security Administration
10 Checkpoint Sign-In Log that he was U.S. Marshal and Federal Officer,
11 whereas in truth and fact as defendant then and there well knew, those
12 statements and representations were false, fictitious and fraudulent
13 when made; in violation of Title 18, United States Code,
14 Section 1001(a)(3).

15 DATED: July 29, 2010.

16 A TRUE BILL:

17
18 _____
Foreperson

19 LAURA E. DUFFY
20 United States Attorney

21 By: _____
22 JAIME D. PARKS
Assistant U.S. Attorney
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