

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

SEP 05 2012

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS

JAMES W. McCORMACK, CLERK  
By: *[Signature]*  
DEP. CLERK

UNITED STATES OF AMERICA )  
 )  
v. )  
 )  
GARY RONALD DUNCAN and )  
PATRICE DONNELL DUNCAN )

No. 4:12CR00 *234 JMM*  
31 U.S.C. § 5324(a)(3)  
18 U. S. C. § 2

INDICTMENT

THE GRAND JURY CHARGES THAT:

INTRODUCTION

1. GARY RONALD DUNCAN and PATRICE DONNELL DUNCAN resided in Conway, Arkansas, and were signatory on the Centennial Bank account for their business, Duncan Outdoors, Inc., account number xxxx357, and a personal account in the name GARY DUNCAN or PATRICE DUNCAN, account number xxxx022.
2. Centennial Bank is located in the State of Arkansas, the deposits of which were insured by the Federal Deposit Insurance Corporation (FDIC), and was a domestic financial institution within the meaning of Title 31, United States Code, Section 5312, et seq.
3. A domestic financial institution is required to file a report (Currency Transaction Report (CTR), FinCEN Form 104) of each deposit, withdrawal, exchange of currency or other payment or transfer by, through, or to such financial institution which involves a transaction of currency of more than \$10,000. CTR reports are required to contain information regarding the identification of the individual depositing or

withdrawing more than \$10,000 in cash into or from a financial institution. Multiple currency transactions are treated as a single transaction if the financial institution had knowledge that they were by or on behalf of any person, and resulted in either cash in or cash out totaling more than \$10,000 during any one business day, as required by 31 C.F.R. § 103.22(b)(1).

COUNTS 1-21

On or about the dates as set forth below, in the Eastern District of Arkansas,

GARY RONALD DUNCAN and PATRICE DONNELL DUNCAN

the defendants, aiding and abetting each other, knowingly and for the purpose of evading the reporting requirements of section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, structured the following transactions with a domestic financial institution:

Count	Date	Day	Business account # xxxx357	Personal account # xxxx022
1	10/22/2007	Monday	\$ 9,000.00	
	10/26/2007	Friday	\$ 9,300.00	
2	11/05/2007	Monday	\$ 8,300.00	
	11/07/2007	Wednesday	\$ 7,100.00	
3	11/28/2007	Wednesday	\$ 8,000.00	
	11/30/2007	Friday	\$ 2,900.00	
4	03/03/2008	Monday	\$ 5,600.00	
	03/06/2008	Thursday	\$ 5,500.00	

Count	Date	Day	Business account # xxxx357	Personal account # xxxx022
5	08/19/2008	Tuesday	\$ 9,900.00	
	08/20/2008	Wednesday	\$ 7,400.00	
6	10/29/2008	Wednesday	\$ 9,000.00	
	10/29/2008	Wednesday	\$ 600.00	
	10/30/2008	Thursday	\$ 2,300.00	
7	02/09/2009	Monday	\$ 9,650.00	
	02/11/2009	Wednesday	\$ 3,000.00	
8	04/15/2009	Wednesday	\$ 3,600.00	
	04/16/2009	Thursday	\$ 3,500.00	
	04/17/2009	Friday	\$ 9,900.00	
9	06/18/2009	Thursday	\$ 9,900.00	
	06/19/2009	Friday	\$ 5,500.00	
10	04/05/2010	Monday	\$ 9,900.00	
	04/05/2010	Monday		\$ 5,000.00
11	04/06/2010	Tuesday	\$ 9,200.00	
	04/08/2010	Thursday	\$ 1,000.00	
12	04/26/2010	Monday	\$ 6,800.00	
	04/28/2010	Wednesday	\$ 1,000.00	
	04/29/2010	Thursday	\$ 5,400.00	
13	08/26/2010	Thursday	\$ 1,100.00	
	08/27/2010	Friday	\$ 9,600.00	
14	11/05/2010	Friday	\$ 9,000.00	
	11/05/2010	Friday	\$ 1,000.00	
	11/08/2010	Monday	\$ 7,700.00	

Count	Date	Day	Business account # xxxx357	Personal account # xxxx022
15	12/21/2010	Tuesday	\$ 9,900.00	
	12/22/2010	Wednesday	\$ 8,250.00	
16	02/14/2011	Monday	\$ 9,300.00	
	02/15/2011	Tuesday	\$ 9,500.00	
	02/16/2011	Wednesday	\$ 4,000.00	
17	03/14/2011	Monday	\$ 6,100.00	
	03/15/2011	Tuesday	\$ 5,400.00	
18	04/11/2011	Monday	\$ 5,400.00	
	04/13/2011	Wednesday	\$ 3,500.00	
	04/13/2011	Wednesday	\$ 3,550.00	
19	05/25/2011	Wednesday	\$ 9,550.00	
	05/26/2011	Thursday	\$ 3,800.00	
20	08/08/2011	Monday	\$ 9,900.00	
	08/09/2011	Tuesday	\$ 9,500.00	
	08/10/2011	Wednesday	\$ 3,600.00	
21	10/25/2011	Tuesday	\$ 9,400.00	
	10/28/2011	Friday	\$ 2,000.00	

All in violation of Title 31, United States Code, Section 5324(a)(3) and Title 18,  
United States Code, Section 2.

FORFEITURE ALLEGATION ONE

1. The allegations contained in Counts 1 through 21 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 31, United States Code, Section 5317.

2. Pursuant to Title 31, United States Code, Section 5317, upon conviction of an offense in violation of Title 31, United States Code, Section 5324, the defendants,

GARY RONALD DUNCAN and PATRICE DONNELL DUNCAN

shall forfeit to the United States of America all property, real or personal, involved in the offense and any property traceable to such property. The property to be forfeited includes, but is not limited to, the following:

\$94,500.00 from Centennial Bank account xxxx357: and

A money judgment in the sum of at least \$304,300.00, which represents the cash involved in violations of Title 31, United States Code, Section 5324, as charged in counts 1 through 21.

3. If any of the property described above, as a result of any act or omission of the defendant:

- (a) Cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 31, United States Code, Section 5317(c) and by Title 28, United States Code, Section 2461(c).

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