

BRENT D. WARD, United States Attorney
BRUCE C. LUBECK, Assistant United States Attorney
Attorneys for the United States of America
476 U. S. Courthouse
South Main Street
Salt Lake City, Utah 84101
Telephone: (801) 524-5682

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,	:	86-CR-168S
	:	
Plaintiff,	:	I N D I C T M E N T
	:	VI0. 26 U.S.C. section 5861,
vs.	:	5871, 18 U.S.C. sections 922,
	:	924, 1001, 2, 152;
CHARLES WILLIAM GOFF, SR.,	:	POSSESSION OF UNREGISTERED
CHARLES WILLIAM GOFF, JR.,	:	FIREARMS, UNLAWFUL
AMERICAN RESEARCH AND DEVELOP-	:	MANUFACTURE OF FIREARMS,
MENT COMPANY, INC., and AMERICAN	:	AIDING & ABETTING, FALSE
ARMS INTERNATIONAL, INC.,	:	STATEMENTS, FALSE
	:	STATEMENTS IN RECORDS,
Defendants.	:	BANKRUPTCY FRAUD

The Grand Jury charges:

COUNT I

1. On or about August 23, 1984, in the Central Division of the District of Utah, a voluntary petition in bankruptcy was filed in the United States Bankruptcy Court for the District of Utah, No. 84-C-02283, praying that American Arms International, Inc., a corporation organized and existing under the laws of the State of Nevada, with its place of business in Salt Lake City, Utah, be adjudicated bankrupt.

[new page]

2. On or about August 23, 1984, R. Kimball Mosier was appointed interim trustee of American Arms International, Inc. On or about September 24, 1984, R. Kimball Mosier was appointed as trustee of American Arms International, Inc.

3. During all of the times herein mentioned, American Arms International, Inc., was wholly owned subsidiary of American Arms, Inc., a Utah Corporation. Charles Willaim Goff, Sr., was an incorporator of American Arms International Inc., and the vice-president of American Arms, Inc., Charles William Goff, Jr., was the president of American Arms International, Inc., and the president of American Arms, Inc.

4. On or about September 24, 1984, and continuously thereafter until the date of this indictment in the Central Division of the District of Utah, and elsewhere,

CHARLES WILLIAM GOFF, SR.,
CHARLES WILLIAM GOFF, JR., and
AMERICAN ARMS INTERNATIONAL, INC.,

aided and abetted by each other, did knowingly and fraudulently conceal from R. Kimball Mosier, trustee of the estate of American Arms International, Inc., in the above described bankruptcy, and from creditors in the bankruptcy proceeding, property consisting of approximately 500 machine gun receivers, in that the defendants did during the period aforesaid remove from the business premises secured by the trustee said property belonging to the estate of the bankrupt without the knowledge or approval of the trustee; all in violation of 18 U.S.C. section 152.

-2-

COUNT II

On or about June 5, 1986, in the Central Division of the District of Utah, at Salt Lake City, Utah, defendants,

CHARLES WILLIAM GOFF, SR. and
CHARLES WILLIAM GOFF, JR.,

did knowingly possess a firearm, that is, a machine gun within the

definition of 26 U.S.C. section 5845(d), that is, an AM 180 M-2 machine gun, Serial No. DX024, which firearm was not registered to Charles William Goff, Sr., or Charles William, Jr., or American Research and Development Company in the National Firearms Registration and Transfer Record as required by Chapter 53 of Title 26; all in violation of 26 U.S.C. sections 5861(d) and 5871, Title 18 U.S.C. section 2.

COUNT III

On or about July 21, 1986, in the Central Division of the District of Utah, at Salt Lake City, Utah, defendant,

CHARLES WILLIAM GOFF, SR.,

did knowingly possess a firearm, that is, a machine gun within the definition of 26 U.S.C. section 5845(b), that is, an H & R Machine Gun, Serial No. AR5000638, which firearm was not registered to CHARLES WILLIAM GOFF, SR., or American Research and Development Company, Inc., in the National Firearm Registration and Transfer Record as required by Chapter 53 of Title 26; all in violation of Title 26 U.S.C. sections 5861(d) and 5871.

-3-

COUNT IV

On or about September 30, 1984, until May, 1986, in the

Central Division of the District of Utah, at Salt Lake City, Utah,

CHARLES WILLIAM GOFF, SR.

CHARLES WILLIAM GOFF, JR., and

AMERICAN RESEARCH AND DEVELOPMENT COMPANY, INC.,

did knowingly aid, abet, counsel, command, induce, procure and willfully cause the obliteration, removal, change, and alteration of serial numbers and other manufacturing markings on approximately 500 machine gun receivers, firearms within the definition of Title 26 U.S.C. 5845(b); all in violation of 5861(g) and Title 18 U.S.C. section 2.

COUNT V

On or about September 4, 1985, to April 24, 1986, in the Central Division of the District of Utah,

CHARLES WILLIAM GOFF, SR.,

CHARLES WILLIAM GOFF, JR., and

AMERICAN RESEARCH AND DEVELOPMENT COMPANY, INC.,

did knowingly aid, abet, counsel, command, induce, and procure the making of false entries in Acquisition and Disposition records in that defendants caused to be stated in the Acquisition and Disposition records that American Research and Development Company, Inc., had manufactured 503 machine guns when in truth and in fact defendants had not manufactured new machine guns but had changed and obliterated and altered serial numbers on existing machine gun receivers manufactured by American Arms International, Inc.; all in

violation of 18 U.S.C, sections 2 and Title 18 U.S.C. section 922(m) and 924.

-4-

COUNT VI

On or about September 4, 1985, to April 24, 1986, in the Central Division of the District of Utah,

CHARLES WILLIAM GOFF, SR.,
CHARLES WILLIAM GOFF, JR., and
AMERICAN RESEARCH AND DEVELOPMENT COMPANY, INC.,

did knowingly aid, abet, counsel, command, induce, and procure the making of false entries in ATF Forms 2 in that defendants caused to be stated in the ATF Forms 2 that American Research and Development Company, Inc., had manufactured 503 machine guns when in truth and in fact defendants had not manufactured new machine guns but had changed and obliterated and altered serial numbers on existing machine guns manufactured by American Arms International, Inc.; all in violation of Title 26 U.S.C. section 5861(1) and Title 18 U.S.C. section 2.

COUNT VII

On or about February 28, 1986, in the Central Division of the District of Utah,

CHARLES WILLIAM GOFF, JR.,

aided, abetted, and counseled by CHARLES WILLIAM GOFF, SR., did knowingly and willfully make and cause to be made a false, fictitious, and fraudulent statement and representation of a material fact in a matter within the jurisdiction of the Department of Treasury, Bureau of Alcohol, Tobacco and Firearms, an agency of the United States, in that defendants stated and represented in a letter submitted to the Bureau of Alcohol, Tobacco and Firearms, that more than 600 American Arms

-5-

International, Inc. machine gun receivers had been destroyed by crushing and breaking the receivers so as to make them unusable and unrepairable whereas defendants then knew that such statement and representations were false in that all the described receivers had not been crushed or broken; all in violation of Title 18 U.S.C. sections 1001 and 2.

COUNT VIII

On or about February 28, 1986, in the Central Division of the District of Utah,

CHARLES WILLIAM GOFF, SR.

CHARLES WILLIAM GOFF, JR., and

AMERICAN ARMS INTERNATIONAL COMPANY, INC.,

aided, abetted and counseled by each other, did cause knowingly the

making of false entries in the Acquisition and Disposition records, of American Arms International, Inc., a licensed manufacturer, in that defendants caused the Acquisition and Disposition records to show that approximately 600 machine guns had been destroyed whereas in truth and in fact defendants knew that the machine gun receivers had not been destroyed; all in violation of 18 U.S.C. sections 922(m), 924, and 2.

COUNT IX

On or between April 22, 1986, and June, 1986, in the Central Division of the District of Utah and elsewhere,

CHARLES WILLIAM GOFF, SR.,
CHARLES WILLIAM GOFF, JR., and
AMERICAN RESEARCH AND DEVELOPMENT COMPANY, INC.,

aided and abetted by each other, did aid, abet, counsel, procure, and solicit Electronic Metal Products of Aurora, Colorado, to make

-6-

firearms, that is, approximately 1,000 machine gun receivers, and Electronic Metal Products was not a licensed manufacturer of firearms as defined in Chapter 53 of Title 26; all in violation of 26 U.S.C. sections 5861(f) and 5871, and 18 U.S.C section 2.

COUNT X

On or about the 19th day of May, 1986, in the Central Division
of the District of Utah, at Salt Lake City, Utah,

CHARLES WILLIAM GOFF, SR.,
CHARLES WILLIAM GOFF, JR., and
AMERICAN RESEARCH AND DEVELOPMENT COMPANY, INC.,

did aid and abet, counsel, command, procure and solicit each other
and another in the knowing making of 1,900 false entries on 173 ATF
Forms 2 submitted by American Research and Development Corporation
to the Bureau of Alcohol, Tobacco, and Firearms showing that on May
15 and May 16, 1986, 1,900 machine guns of certain descriptions had
been manufactured by American Research and Development Company,
Inc., in Salt Lake City, Utah, whereas in truth and in fact, as
defendants well knew, machine gun receivers had been manufactured
in Salt Lake City Utah, and Aurora, Colorado, but had not been
manufactured on the dates indicated and had not been assembled and
serial numbers had not been applied and the firearms had not been
completed as represented in the Forms 2; all in violation of Title
26 U.S.C. section 5861(L) and Title 18 U.S.C. section 2.

COUNT XI

On or about the 19th day of May, 1986, in the Central Division
of the District of Utah, at Salt Lake City, Utah,

-7-

CHARLES WILLIAM GOFF, SR.,

CHARLES WILLIAM GOFF, JR., and
AMERICAN RESEARCH AND DEVELOPMENT COMPANY, INC.,

defendants herein, aided and abetted by each other did knowingly command, counsel, solicit, and procure the knowing making of false entries on American Research Development Company, Inc., Acquisition and Disposition records by showing that 2,000 machine guns had been manufactured on May 15 and 16, 1986, showing the serial numbers of the alleged machine guns, whereas in truth and in fact as defendants well knew the machine guns had not been manufactured as specified and no serial numbers had been applied on the date of the preparation of the Acquisition and Disposition records; all in violation of 18 U.S.C. sections 922(m), 924(a) and 2.

COUNT XII

On or about May 1, 1986, in the Central Division of the District of Utah and elsewhere,

CHARLES WILLIAM GOFF, SR.
CHARLES WILLIAM GOFF, JR.,
AMERICAN RESEARCH AND DEVELOPMENT COMPANY, INC.,

aided and abetted by each other, did aid, abet, counsel, procure, and solicit Advance Manufacturing Technology of Salt Lake City, Utah, to make firearms, that is, approximately 1,000 machine guns, and Advance Manufacturing Technology was not a licensed manufacturer of firearms as defined in Chapter 53 of Title 26; all in violation of 26 U.S.C. sections 5861(f) and 5871, and 18 U.S.C section 2.

A TRUE BILL:

FOREMAN OF THE GRAND JURY

BRENT D. WARD

United States Attorney

By_____

BRUCE C. LUBECK

Assistant United States Attorney

November 20, 1986