

FBI case against biker club slowed

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Prosecutor blames a widening web of offenses, but officer of the group says government's proof is weak.

By Paul EganThe Detroit News

DETROIT — More than two years after the **FBI** launched a crackdown on the Highwaymen Motorcycle **Club** , five alleged members who were locked up awaiting trial on drug conspiracy and other charges are back on the streets.

The lead defendant, Sterling Heights restaurant owner Aref "Scarface" Nagi, this week asked a federal judge to release him, too.

A much larger Highwaymen indictment, one that was to involve 100 or more defendants which was promised more than a year ago by federal prosecutors, has yet to materialize.

"I don't think they have enough to make this **case** roll," Randy "Tru Story" Ferguson, a national officer with the Highwaymen in Detroit who is not a defendant in the **case** , said Tuesday. "That's why they've delayed it, delayed it, delayed it."

The government rejects suggestions the **case against** the homegrown **club** — allegedly Detroit's largest outlaw motorcycle gang — is unraveling.

"The reason for the delay is that agents have been discovering more and more offenses, which have resulted in multijurisdictional investigations," Assistant U.S. Attorney Diane Marion, the lead prosecutor on the **case** , said through a spokeswoman.

"We hope to wrap those up shortly."

Though mostly cocaine and marijuana trafficking charges have been filed to date, the **case** involves allegations of murder for hire, police corruption, interstate theft, and mortgage and insurance fraud, according to court records and interviews.

Nagi, owner of two Pancho Villa restaurants, a bar and a janitorial company, has been jailed since October 2006 on drug conspiracy charges, awaiting a trial now scheduled for September 2009.

In a court filing Monday, Nagi attorney James C. Thomas described as "mere puffery" **FBI** claims that Nagi, 45, is a danger to the community because of alleged involvement in the beating and stabbing of a man, based on information gleaned from wiretaps.

"No criminal charges were brought from this supposed incident, nor was any further verification of this incident ever presented," Thomas said.

The lawyer also dismissed suggestions that Nagi was a risk to flee to Yemen, where he has family ties, as one of his brothers did in an unrelated criminal **case** . "There is no evidence that Mr. Nagi has any intent to follow his brother to a third-world country," Thomas said.

U.S. District Judge Nancy G. Edmunds has yet to set a hearing on Nagi's latest bond request.

Five other defendants who were held in the **case** : Nagi's son Nasser, 22; Leonard "Bo" Moore, 38, of Lincoln Park; Gary Ball Jr., 43, of Dearborn; Erick Manners, 31, of Newport; and Robert Joseph Burton, 39, of Allen Park, have all been released on bond to await their trials.

The trial had earlier been set for last March and government delays were cited as a reason for granting bond in at least one of the **cases** .

"The March trial date is now a distant, faded memory," said Lawrence Shulman, Ball's attorney, in a June court filing seeking bond his client.

Ferguson said it's possible one or more individual **club** members have broken the law, but the **club** itself is not a criminal organization. He said charitable work the **club** does for organizations such as Toys for Tots and hospitalized veterans has been hurt by the allegations.

"Justice is supposed to be expedient," he said. "We lost a lot of people that used to come down and support us because they don't want to come down under that pall of suspicion."

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