



NEWS RELEASE

OFFICE OF THE UNITED STATES ATTORNEY
WESTERN DISTRICT OF MISSOURI

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FOR IMMEDIATE RELEASE

FEDERAL JURY CONVICTS FELON IN POSSESSION OF FIREARM

KANSAS CITY, Mo. – Todd P. Graves, United States Attorney for the Western District of Missouri, announced that a Kansas City man was convicted by a federal jury today for being a felon in possession of a firearm.

Xavier E. Holmes, 54, of Kansas City, was found guilty of one count of being a felon in possession of a firearm by a federal jury in the U.S. District Court in Kansas City.

Following **Holmes'** trial, the jury deliberated about two hours before returning the guilty verdict to U.S. District Judge Fernando J. Gaitan, Jr., ending a trial that began Sept. 2, 2003.

The jury found **Holmes** guilty of being in possession of a Webley .455 caliber revolver on May 6, 2003. It is illegal, Graves explained, for any felon to be in possession of any firearm or ammunition. **Holmes** has 12 prior criminal felony convictions dating back to 1974. **Holmes** has been convicted of burglary, stealing, manslaughter, possession of a controlled substance, receiving stolen property, assault in the first degree, assault in the second degree, conspiracy to obtain controlled substance, possession with intent to distribute a controlled substance and felony driving while intoxicated.

“Considering the seriousness of this man’s previous felony convictions, it is clear that no good could have come of his possessing a firearm,” Graves said. “The United States Attorney’s Office aggressively prosecuted this case. It is good to see a jury support the Project Ceasefire effort.”

Holmes was originally charged in a criminal complaint filed on May 7, 2003, in Kansas City. The criminal complaint was later replaced by an indictment returned by a federal grand jury on May 14, 2003, in Kansas City.

Holmes was initially arrested after law enforcement officers responded to a disturbance call on May 6, 2003, at 3012 McGee in Kansas City. When officers arrived at the residence and

were allowed to enter the apartment, they observed **Holmes** standing beside a kitchen counter. At that time, **Holmes** placed his right hand behind his back as if pulling something from the back of his pants. As an officer stepped around the counter, he observed **Holmes** holding a handgun. **Holmes** then dropped the gun, was handcuffed, arrested and officers secured the weapon.

This case was prosecuted by Assistant U.S. Attorney Jess E. Michaelsen. It was investigated by the Bureau of Alcohol, Tobacco and Firearms and the Kansas City, Mo., Police Department.

Project Ceasefire

Project Ceasefire, launched in October 1999, is a cooperative initiative by federal and local law enforcement that targets for federal prosecution persons who unlawfully use or possess firearms. Project Ceasefire has resulted in federal charges against 479 defendants, and convictions against 404 of those defendants, including 378 who pleaded guilty and 26 who were convicted at trial. A total of 350 of the 404 convicted defendants have been sentenced, and 54 currently await sentencing hearings.

This news release, as well as additional information about the office of the United States Attorney for the Western District of Missouri, is available on-line at
www.usdoj.gov/usao/mow