

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

CHANTRECE BUGGS,

Defendant.

CRIMINAL ACTION NO.
1:25-cr-00272-SEG-RDC-2

ORDER AND FINAL REPORT AND RECOMMENDATION

Pending before this Court is Defendant Chantrece Buggs' Motion to Dismiss Counts Three and Six of the Superseding Indictment or (in the alternative) for a Bill of Particulars, and Motion for Discovery and Inspection, [Doc. 39]. The Government filed a brief opposing these requests on December 31, 2025, [Doc. 45]. The deadline for submission of a reply brief has expired.

Factual and procedural background

Defendant Buggs has been named in Counts Three and Six of an eight-count Superseding Indictment with offenses involving allegations of falsification of records with intent to impede the investigation of matters within the jurisdiction of the Federal Bureau of Investigation. [Doc. 19]. Counts One and Four allege that her former

colleague - Khadijah Solomon - willfully deprived detainees “of the right, secured and protected by the Constitution and the laws of the United States, to due process of law, which includes the right of a pretrial detained to be free from a law enforcement officer’s use of unreasonable force. Specifically, Defendant Solomon, without legal justification, repeatedly tased [the detainees]. The offense[s] involved the use, attempted use and threatened use of a dangerous weapon and resulted in bodily injury to [the detainees].” [*Id.* at 2; 4].

Count Three alleges that Defendant Buggs knowingly “falsified and made a false entry in a record and document with the intent to impede, obstruct, and influence the investigation” of the matter outlined in Count One when she described her and Defendant Solomon’s “interaction with, and use of force against, M.P. by falsely stating that M.P. ‘had a tray in his hand as if he was getting ready to throw the tray at Sgt. K. Solomon. She then pulled her Fulton County issued Taser and tased [M.P.],’ by omitting that (1) Defendant Solomon tased M.P. multiple times after the initial taser deployment, (2) Defendant Solomon tased M.P. while M.P. was complying and attempting to comply with Defendant Solomon’s verbal commands, and (3) Defendant Solomon hit M.P. in the head” in violation of 18 U.S.C. § 1519. [Doc. 19 at 3]. Count Six also alleges Defendant Buggs violated Section 1519 when she falsely

described in an incident report her and Defendant Solomon’s “interaction with, and use of force against, Q.L. by falsely stating that Q.L. ‘aggressively walked toward Sgt. K. Solomon and she deployed her Fulton County issued Taser;’ and by omitting that (1) Defendant Solomon tased Q.L. multiple times after the initial taser deployment, and (2) Defendant Soloman tased Q.L. while Q.L. was complying and attempting to comply with Defendant Solomon’s verbal commands.” [Doc. 19 at 6].

Defendant Buggs was arraigned on August 19, 2025. [R. 25]. She was granted a non-surety bond and subsequently filed the pending Motion on October 15, 2025. [Doc. 39]. In this pleading, she argues that Counts Three and Six should be dismissed because they fail to state an offense and that a Bill of Particulars should be provided if her demands for dismissal are denied. She also requests production of discovery and right to inspection pursuant to Fed. R. Crim. P. 16. [*Id.* at 5-6]. After careful review of Defendant’s pleading, the Government’s response and the applicable law, this Motion is now ripe for judicial review.

LEGAL AUTHORITY AND ANALYSIS

A. Motion to Dismiss Counts Three and Six

The Sixth Amendment guarantees that “[i]n all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed...and to be informed of the

nature and cause of the accusation.” U.S. Const. amend. VI. These rights, as well as the Due Process Clause of the Fifth Amendment, are brought to bear when a defendant challenges the sufficiency of an indictment. See, *Russell v. United States*, 369 U.S. 749, 761 (1962). Fed. R. Crim. P. 7(c)(1) provides that: “[t]he indictment or information must be a plain, concise, and definite statement of the essential facts constituting the offense charged and must be signed by the attorney for the government. It need not contain a formal introduction or conclusion. A count may incorporate by reference an allegation made in another count. A count may allege that the means by which the defendant committed the offense are unknown or that the defendant committed it by one or more specified means. For each count, the indictment or information must give the official or customary citation for the statute, rule, regulation, or other provision of law that the defendant is alleged to have violated.” Pursuant to Fed. R. Crim P. 12 (b)(3)(B)(v), a defendant may file a motion to dismiss an indictment for failure to state an offense.

The Supreme Court adopted the following test to determine whether an indictment is sufficient:

[A]n indictment is sufficient if it, first, contains the elements of the offense charged and fairly informs a defendant of the charge against which he must defend, and, second, enables him to plead an acquittal or conviction in bar of future prosecutions for the same offense.

Hamling v. U.S., 418 U.S. 87, 117 (1974) (citing, *Hagner v. United States*, 285 U.S.

427 (1932)). “When the indictment uses generic terms, it must state the offense with particularity.” *United States v. Bobo*, 344 F.3d 1076, 1083 (11th Cir. 2003). Consequently, an indictment that fails to apprise the defendant “with reasonable certainty, of the nature of the accusation against him...is defective,...although it may follow the language of the statute.” *United States v. Simmons*, 96 US. 360, 362 (1877).

In ruling on Defendant’s claim that Counts Three and Six fail to state offenses, this Court is limited to reviewing the face of the Indictment. *United States v. Sharpe*, 438 F.3d 1257, 1263 (11th Cir. 2006)(“In ruling on a motion to dismiss for failure to state an offense, a district court is limited to reviewing the *face* of the indictment and, more specifically, the *language used* to charge the crimes.”)(emphasis in original); *United States v. Salman*, 378 F.3d 1266, 1268 (11th Cir. 2004). To determine whether an indictment is sufficient, it must be read it as a whole and given a “common sense construction.” *United States v. Gold*, 743 F.2d 800, 813 (11th Cir.1984), *United States v. Markham*, 537 F.2d 187, 192 (5th Cir.1976).¹ In other words, the indictment's “validity is to be determined by practical, not technical, considerations.” *Gold*, 743 F. 2d at 812; quoting, *United States v. Morano*, 697 F.2d 923, 927 (11th Cir. 1983). Merely reciting the elements of the applicable statute is not sufficient if the indictment

¹ In *Bonner v. City of Prichard*, 661 F.2d 1206 (11th Cir. 1981) (en banc), the Eleventh Circuit adopted as binding precedent all decisions rendered by the Fifth Circuit before October 1, 1981.

fails to put the Defendant on fair notice of the charges she faces: “‘Undoubtedly the language of the statute may be used in the general description of an offence, but it must be accompanied with such a statement of the facts and circumstances as will inform the accused of the specific offence, coming under the general description, with which he is charged.’” *Hamling*, 418 U.S. at 117, (quoting, *United States v. Hess*, 124 U.S. 483, 487 (1888)).

In the case at bar, Defendant Buggs has been charged with violating 18 U.S.C. § 1519. This statute provides that anyone who “knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction or any department or agency of the United States...shall be fined under this title, imprisoned not more than 20 years, or both.” Defendant Buggs asserts that the factual scenarios outlined in Counts Three and Six are deficient because they fail to allege “sufficient facts to establish that [she] acted ‘knowingly’ or with the specific ‘intent to impede, obstruct, or influence’ a federal investigation.” [Doc. 39 at 3]. She also avers that these Counts are insufficient because they fail to that show she “knew that the incident reports would be subject to federal investigation at the time they were created...[and] that

[she] had knowledge that her statements in the incident reports were false.” [Doc. 39 at 3-4].

The Government submits these claimed errors are meritless because the Superseding Indictment “track[s] the statutory language, and refer[s] to the statute at issue.” [Doc. 45 at 6]. Furthermore, it “specifically identifies the reports that Buggs falsified, the date that each incident that is the subject of the false reports took place, the initials of the victims mentioned in each false report, and each statement and omission [it] alleges is false.” [*Id.*]. Based on these specific facts, along with the statutory language provided in each Count, the Government contends that the Superseding Indictment “provides sufficient information for Buggs to know the facts and circumstances of the offenses she is accused of committing.” [*Id.* at 8].

The Government also argues that Defendant’s assertions that the Superseding Indictment is deficient because it doesn’t allege she knew her reports would be subject to federal investigation when they were created, nor that she acted “knowingly” or with intent to impede a federal investigation are unfounded. It avers that Section 1519 does not require that a defendant “know that any possible investigation is federal in nature.” [Doc. 45 at 7]. It submits that this statute only requires that “a criminal defendant ‘knowingly’ alter, destroy, mutilate, conceal, cover up, falsify, or make a false entry. There is nothing in the language that says the defendant must also know

that any possible investigation is federal in nature... ‘[A]ny matter within the jurisdiction’ is merely a jurisdictional element, for which no *mens rea* is required.’” (citation omitted). [Doc. 45 at 7].

This Court agrees. Count Three specifically describes the alleged misconduct Defendant Buggs engaged in by citing the summary contained in her report and how that narrative relates to Defendant Solomon’s mistreatment of M.P. The same holds true for Count Six. It sets out the relevant portions of Defendant Buggs’ report depicting Q.L.’s alleged conduct and Defendant’s description of Defendant Solomon’s response – characterizations the Government submits are false. This information sufficiently informs Defendant of the nature of the facts and circumstances giving rise to the pending charges and puts her on notice regarding the particular conduct the Government deems unlawful. See, *United States v. London*, 550 F. 2d 206,211 (5th Cir. 1977) (“The test is not whether the indictment might have been drawn with greater certainty and exactitude, but rather whether it set forth the elements of the offense charged and sufficiently apprised defendants of the charges.”).

Defendant Buggs’ claims that the Counts must contain elements alleging she knew her reports would be subject to federal investigation when she created them and that she knowingly attempted to impede that investigation are also meritless. As noted

by the Government, Section 1519 does not require proof that she knew the subsequent investigation would involve a federal matter. *United States v. McQueen*, 727 F.3d 1144, 1151–52 (11th Cir. 2013). See also, *United States v. Gray*, 692 F.3d 514, 519 (6th Cir. 2012)(Despite [defendant’s] suggestion to the contrary, 18 U.S.C. § 1519 does not require the Government to prove that he intended to obstruct a federal investigation.”) and *United States v. Yielding*, 657 F.3d 688, 714 (8th Cir. 2011) (“[Section 1519] requires proof that an accused *knowingly* falsified a document, with *intent* to impede, obstruct, or interfere with the investigation or proper administration of a matter. It is sufficient that the ‘matter’ is within the jurisdiction of a federal agency as a factual matter.”) (emphasis in original). Legislative history related to this statute underscores this precedent: “The fact that a matter is within the jurisdiction of a federal agency is intended to be a jurisdictional matter, and not in any way linked to the intent of the defendant.” (148 Cong. Rec. S7419 (daily ed. July 26, 2002) (statement of Sen. Leahy). Thus, this Court **RECOMMENDS** that Defendant Buggs’ Motion to Dismiss Counts Three and Six be **DENIED**.

B. Motion for Bill of Particulars and Discovery/Inspection

Rule 7 of the Federal Rules of Criminal Procedure authorizes a court to direct the Government to file a bill of particulars. FED. R. CRIM. P. 7(f). “The purpose of a bill of particulars is to inform the defendant of the charge against him with sufficient

precision to allow him to prepare his defense, to minimize surprise at trial, and to enable him to plead double jeopardy in the event of a later prosecution for the same offense.” *United States v. Warren*, 772 F.2d 827, 837 (11th Cir. 1985), *United States v. Cole*, 755 F.2d 748 (11th Cir. 1986), and *Bobo*, 344 F.3d at 1083. (“When an indictment describes the offense using statutory language, it must also include enough “facts and circumstances” to “inform the accused of the specific offense ... with which he is charged.”) (quoting, *Russell*, 369 U.S. at 765).

This Court has broad discretion in ruling on requests for bills of particular. *Will v. United States*, 389 U.S. 90 (1967). However, a defendant is not entitled to a bill of particulars “with respect to information which is already available through other sources such as the indictment or discovery and inspection.” *United States v. Rosenthal*, 793 F.2d 1214, 1227 (11th Cir. 1986), *modified on other grounds by*, 801 F.2d 378 (11th Cir. 1986). Further, a bill of particulars may not be used for the purpose of obtaining detailed disclosure of the government’s case in advance of trial. See, *United States v. Perez*, 489 F.2d 51, 70-71 (5th Cir. 1973). Moreover, it “cannot be used as a weapon to force the government into divulging its prosecution strategy; we do not allow defendants to ‘compel the government to detailed exposition of its evidence or to explain the legal theories upon which it intends to rely at trial’ in that

manner.” *United States v. Maurya*, 25 F.4th 829, 837–38 (11th Cir. 2022) (citing, *United States v. Burgin*, 621 F.2d 1352, 1359 (5th Cir. 1980)).

Defendant Buggs seeks a bill of particulars because she alleges that the Superseding Indictment “fails to provide sufficient information to allow [her] to prepare an adequate defense, avoid unfair surprise at trial, and protect against double jeopardy.” [Doc. 39 at 4]. Although she fails to articulate *how* these alleged omissions have hindered her ability to prepare a defense, she requests the following information:

- a. The specific statements in the incident reports that the government alleges are false;
- b. The basis for the government's allegation that Defendant knew the statements were false;
- c. The specific evidence the government intends to rely upon to prove Defendant's knowledge;
- d. The specific evidence the government intends to rely upon to prove Defendant's intent to impede, obstruct, or influence a federal investigation;
- e. When and how the Federal Bureau of Investigation became involved in investigating the incidents at the Fulton County Jail; and
- f. Whether the government alleges that Defendant knew or should have known that the FBI would investigate the incidents at the time she wrote the reports.

[Doc. 39 at 4-5].

The Government asserts that a bill of particulars is not appropriate because the Superseding Indictment provides sufficient details of the charges Defendant faces,

recites the applicable statutory elements and identifies the specific statements they contend violate Section 1519. “Given the detailed Indictment and the comprehensive discovery,” it continues, she “has been more than sufficiently apprised of the charges and the factual underpinnings of the case.” [Doc. 45 at 9]. It also emphasizes that it has provided Defendant with “comprehensive discovery” including video footage of the detainees’ alleged abuse and her real-time reactions to Defendant Solomon’s behavior. [*Id.* at 8].

The Government’s arguments are well-taken. As previously discussed, the Superseding Indictment supplies specific details of the nature of the alleged misconduct including the factual summaries Defendant Buggs’ reports contained and why the Government insists those statements are false. Although the Defendant may prefer more specific information regarding her alleged role in the offenses, the information provided “adequately inform[s] [her] of the charges against [her] and accord[s] the opportunity to plan [her] defense accordingly.” *United States v. Martell*, 906 F.2d 555, 558 (11th Cir. 1990) (finding a bill of particulars was not required because the indictment adequately informed defendant of the offenses against him.)! Accordingly, the Motion for Bill of Particulars is **DENIED.** !

Finally, Defendant Buggs requests production of discovery and an opportunity to inspect the following evidence:

- a. All written or recorded statements made by Defendant that are within the government's possession, custody, or control;
- b. All written or recorded statements made by co-defendant Khadijah Solomon that are within the government's possession, custody, or control;
- c. All incident reports, use of force reports, and other documentation related to the incidents involving M.P. on January 16, 2025, and Q.L. on January 26, 2025;
- d. All video recordings of the incidents involving M.P. on January 16, 2025, and Q.L. on January 26, 2025;
- e. All written or recorded statements of witnesses to the incidents involving M.P. on January 16, 2025, and Q.L. on January 26, 2025;
- f. All documents and tangible objects that are material to preparing the defense or that the government intends to use in its case-in-chief at trial;
- g. All results or reports of physical or mental examinations and of scientific tests or experiments that are material to preparing the defense or that the government intends to use in its case-in-chief at trial; and
- h. A written summary of any expert testimony that the government intends to use during its case-in-chief at trial.

[Doc. 39 at 5-6].

The Government claims it has already provided all the discovery it's obligated to disclose pursuant to Fed. R. Crim. P. 16. It also notes that Defendant Buggs "has not identified any deficiencies in the Government's productions." [Doc. 45 at 9]. These representations are uncontested. Consequently, Defendant's requests for discovery and inspection of the above-listed evidence are **DENIED**.

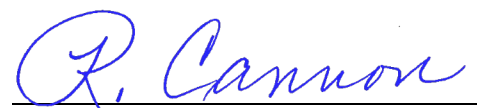
CONCLUSION

Based on the foregoing reasons, the undersigned **RECOMMENDS** that Defendant's Motion to Dismiss Counts Three and Six of the Superseding Indictment be **DENIED**. [Doc. 39].

This Court **DENIES** the Motion for a Bill of Particulars and Motion for Discovery/Inspection. Defendant Buggs is **ORDERED** to confer with Government Counsel to discuss any discovery issues not yet resolved as required by LCrR16.1, NDGa. within 10 days of the filing of this Order.

Having now addressed all referred pretrial matters relating to Defendant Buggs and having not been advised of any impediments to the scheduling of a trial as to her, this case is **CERTIFIED READY FOR TRIAL**.

IT IS SO ORDERED AND RECOMMENDED, this 30th day of January 2026.



REGINA D. CANNON
United States Magistrate Judge