

## **TRACY WHITE PROFFER STATEMENT**

### **Grand Jury Exhibit Number 2**

My name is Tracy White. I am the first cousin of Jaimie White, who is now using the name "Bianco." My mother, Rose Marie, was Buck White's sister. I never knew who my real father was. Uncle Buck was, in effect, my father. My mother worked at the family restaurant business, Pappy's Pizza. From childhood, I spent all my time at Pappy's. My mother wanted to keep an eye on me after school, so Pappy's was where I grew up. This is how I learned everything about the pizza business.

In high school, I was a straight "A" student and a star on the track team. I was the Marshall State Champion in the 5000 meter and 10000 meter runs, and still hold the Marshall State record for the fastest marathon run by a high school athlete. I also lettered in basketball and football. As a result of all this, I was named a State of Marshall scholar-athlete. I qualified for and accepted a full scholarship to Cactus University, a private school in New Mexico, with a national reputation for academic excellence.

Everything was going well in college. I completed three years of college in two years, with a 3.9 average on a 4 point scale. I was majoring in Business and Marketing. I was on the track team. In fact, I was invited to try out for the U.S. Olympic Team. Everything was going well until what I call, "The Crash." On July 4, 1998, I was driving my friend's Harley motorcycle after a party. I had had a couple of drinks and was feeling good. I lost control of the Harley and veered into oncoming traffic. My friend who was sitting on the back seat was killed. I was convicted of involuntary manslaughter and sentenced to eight years in prison, most of it suspended.

I didn't have a criminal record. The judge also saw my academic and athletic records, and a number of letters from people back in Marshall. Even the Mayor

wrote a letter for me. I had to serve one year in the New Mexico State Penitentiary. I spent most of this time in the prison hospital recovering from the injuries to knees, my spine, and my skull. The doctors did a good job - I can walk without a limp or pain, but my running career was over. I just can't run worth a darn. The only problems that remained were an occasional loss of memory and an addiction to pain killers.

After my release from prison, I tried to reenroll at Cactus University in January, 2000. But I had lost my athletic scholarship. I could not afford the tuition. I wasn't getting much positive feedback from the people at CU. As an ex-con, as one of them told me, I was an embarrassment. Maybe if I could still have competed in track, they would have overlooked my misdemeanor. I did not bother to try to get back in on an academic scholarship. I was angry and depressed. I just wanted to go home. I resolved I was not going to be taken advantage of again -- ever.

I returned to Marshall City where I went to work at Pappy's. My mother and I worked side by side with Uncle Buck. It was great. These were, in many ways, the best times of my life. The three of us were like a real family. The only times I saw cousin Jaimie was when Jamie came to Uncle Buck asking for money or for a favor.

In May of 2000, I was arrested a second time - this time for forging script in order to get prescription pain killers. Uncle Buck pulled a lot of strings. He called in a number of markers. On lucky April 13, 2001, I was sentenced to felony probation contingent on my successfully completing a 90 day in-patient rehabilitation program and staying drug free in an outpatient program. The Judge in New Mexico also agreed to make his sentence of violation of my supervised release concurrent with the Marshall sentence. I am proud to say that I have been drug free ever since that date in Court when I promised the Judge and my Uncle Buck that I was off of drugs forever.

Uncle Buck was understanding and gave me my job back at Pappy's. Uncle Buck told me and my mom that someday, when he died, Pappy's would be ours. He said this many times – almost every day.

In June of 2003, Mom found Uncle Buck dead. His death was a terrible shock. The police said that Uncle Buck's death looked like a gangland style execution. He was shot in the head at close range. No one was ever caught and the police never even came up with a suspect. I'm sick when I think about what happened to Uncle Buck. I loved him so much. I would have taken the bullet for Uncle Buck. Mom and I believed we could continue to support ourselves in the family business.

We talked about it. But we were shocked when, shortly after Uncle Buck's death, Jaimie showed up with a will that showed Uncle Buck left Pappy's to Jaimie. The will stated Uncle Buck's desire that Jaimie allow me and my mother to remain working at Pappy's. Mom said, "No way." I had no choice. I worked at Pappy's because we needed the money. My mother never entered Pappy's again.

Within days of Uncle Buck's funeral, Jaimie took on the name of "Bianco" which in Italian means "white." Jaimie also changed the name of the pizza parlor from "Pappy's Pizza" to "Bianco's Restaurant and Sports Bar." When my grandfather opened "Pappy's" in 1922, the name was good enough. Now, after three generations, there was a name change. It's a disgrace to change your family name and the name of the family business. Jaimie said it would be more authentic to have an Italian name for a Pizza Restaurant and Sport's Bar. I said, "Restaurant? This is an old fashioned pizza parlor."

Jaimie said, "New owner, new name, new format. It's a new generation and people will come flocking." Jaimie installed of satellite connected televisions and enlarged the bar. For about three months there was more business. The new customers were all Jamie's cronies. I didn't know these people, but they were

really a tight bunch. They were also rough, rude, and loud. Our reliable customers, the families that used to come for dinner, stopped coming. There were fights in the bar. The police became a regular presence. Word got out to the neighborhood about how the quality of the food and management of Pappy's had dropped. Jaimie took the place from a six figure profit to a loser in less than a year. When I would tell Jaimie about it, Jaimie would say, "Tracy, to make money you have to spend money, so just shut up about it." I did what I was told and just shut up.

I could tell that Jaimie was desperate. Even though Jaimie said the parlor was "rolling in dough," I could tell business was bad by just looking at all of the empty tables and chairs. I knew Pappy's; how it should run, what we order, and how it profits. I knew how to run that place and to make money. I could tell Jaimie wasn't making any money. Plus, most of the telephone calls were about point spreads and not pizza or sandwiches. I tried to convince my cousins, especially my cousin Pat, to come up with the money to buy out Jaimie. Pat said no. I did not take that as a final answer. I was sure that Pat would come around. I knew I could convince Pat that saving Pappy's would make Pat and Jan into local celebrities. I went to Jaimie and told Jaimie that I and my cousins would buy the business, giving Jaimie a significant profit. Jaimie said, "If my father wanted you or any of the rest of the family to have the business, he would have left it to you and not to me."

Then I learned that Jaimie was selling cocaine and marijuana. I don't know whether this was to keep the business afloat or whether Jaimie was always using the business as a front for moving the drugs. Jaimie has a long drug history. I heard that Jaimie brought in old drugs buddies to set up the drug distribution system. If you wanted drugs, you would call Bianco's and say that you had special needs. You would then be connected to Jaimie who would take your order.

Jaimie told me the code. The first key to the code was that the “customer” would ask for “special large pizzas”; the second key was that the “customer” would ask for “extra special ingredients.” The extra special ingredient he asked for would be the code for the particular drug. For example, “one special large pizza with pineapple and extra cheese” meant “fifty dollars worth of crack.” “One special large pizza with spinach and extra cheese” meant “ten dollars worth of marijuana.” Those are the only codes I remember at this time.

Jaime had me make the deliveries as part of my job duties. The number of deliveries grew, especially out of the neighborhood. It seemed as if there was no limit to our delivery area.

At first, I just had my suspicions, but later on, I checked some of the pizza boxes. I thought I knew what was in the “special” pizzas and I was right. That’s when I confronted Jaimie. Jaimie said I was in it too deep to get out, and if I tried to get out, there were some very nasty people who would “take care” of me. I pretended to go along. I was scared, but tried not to show it. That’s when I learned about the codes. After that, I kept on making the deliveries because I wanted to keep track of what Jaime was doing and the pay was real good. Jaime let me keep 15 percent of whatever the customer paid. It was probably hush money. I guess I could have walked away from Pappy’s, but I couldn’t. I had to find a way to get Pappy’s back like it was. I couldn’t let it go down no matter how much I despised Jaimie. And I had to figure out how to get around the drug delivery problem.

I was caught by Officer Cartman while making a delivery to the Cartier family. What a shock. Cary and I had been friends for years. We go back to high school and played Little League - I played shortstop and Cary played second base. We were inseparable. To be honest, Cary is loyal and trustworthy - like a family dog - but also rather dumb.

Officer Cartman told me that this could be a career case. Cary knew Jaime and Uncle Buck from the beat. Cary loved Uncle Buck. We all did. Cary also hated Jaime. I saw a way to get out of the drug business. As we were of like minds and I was facing life in prison as a three time loser, I agreed to cooperate and asked Cary to get me immunity and a promise that Pappy's would not be subject to forfeiture. Cary called in an Assistant States Attorney who I learned was Cary's cousin, Kenny. Kenny agreed to the deal. When I spoke with Assistant State's Attorney Marsh about the immunity agreement, he was really angry at Cary and Kenny, but agreed that there was no way to take away my "get out of jail" card, as long as I continue to "tell the truth."

I know I will never own or manage Pappy's. I know I can't get the licenses because of my prior convictions. Maybe my cousins will take over Pappy's. But maybe no one will take it over. At least it won't be used for drugs any more.

I know the police found an order form for a banner in my bedroom stating, "Pappy's is Back - Under Old Management" "established July 14, 1922." I ordered that banner from Sara's Signs. That was before my arrest. I hoped that Jaimie would listen to reason, take the fast money, and move on. Somebody made a sarcastic remark that maybe I can sell the banner on e-Bay to help pay my legal expenses.

Tracy White  
September 1, 2004