

Man acquitted over stolen gear

He didn't know that equipment had been filched, jury concludes

BY LINDA SATTER

ARKANSAS DEMOCRAT-GAZETTE

Marmaduke businessman Jack Rondle Pipkin has been found innocent by a federal jury in Little Rock of all nine charges he faced in a second trial stemming from sales of stolen bulldozers, backhoes and other large construction equipment in 2004.

Pipkin, 58, the director of new-car manufacturing at American Railcar Industries' Marmaduke plant, was tried by another federal jury just last month. That panel acquitted him of three charges, but deadlocked on nine charges that were retried last week before U.S. District Judge Susan Webber Wright.

The latest verdict, which resulted in Pipkin's acquittal on all the charges he had faced since being indicted in June 2007, came Friday evening.

Pipkin has worked for American Railcar, now the largest employer in Paragould, for more than 30 years. A welder by trade, he was credited during his trials with bringing the innovative manufacturer of railcars from Missouri to Arkansas, where it has blossomed into a multimillion-dollar business.

Throughout both trials, Pipkin, represented by Little Rock attorney Charles "Chuck" Banks, denied knowing that a man he met in June 2004, and began buying used equipment from, had stolen the machines.

That man, Thomas Scott Miller of Trumann, pleaded guilty on April 11 to six charges: conspiracy to transport stolen vehicles in interstate commerce, conspiracy to structure financial transactions to evade reporting requirements, and four counts of aiding and abetting structuring.

Miller, 52, testified at Pipkin's trial that he never directly discussed with Pipkin the fact that the equipment was stolen, but he

assumed that Pipkin knew.

Miller said he stole the bulldozers, backhoes, front-end loaders and other equipment from work sites in Arkansas, Missouri and Tennessee. Several of the sites were highway construction zones where work was shut down for the day. Miller testified that he used universal keys to drive the large vehicles off the lots and up ramps onto trailers.

He said he sold some of them to Pipkin for several thousand dollars apiece.

Pipkin testified that he also farmed and had previously bought some heavy equipment for that purpose, but generally had "very limited" knowledge about the vehicles. He said that when he decided to develop some of his father's property in Missouri into a retirement ranch in 2004, he put word out that he needed a new bulldozer, and a co-worker introduced him to Miller.

Pipkin quickly resold some of the vehicles he bought from Miller, even making a \$5,000 profit on one vehicle in one afternoon. He said the reason he bought and resold the equipment was that he was trying to "trade up" until he could buy the type of equipment he really needed.

He said that when buying the vehicles, he often was accompanied by people more knowledgeable about the equipment than he, and that neither he nor they ever noticed that anyone had tampered with the vehicles' serial numbers.

Pipkin was first acquitted of charges of conspiracy, receipt of a stolen vehicle and structuring. He was cleared Friday of the remaining charges: three counts of receipt of a stolen vehicle, two counts of transporting a stolen vehicle, one count of structuring conspiracy and three counts of structuring.