

<p>DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO</p> <p>1437 Bannock Street Denver, CO 80202</p> <hr/> <p>THE PEOPLE OF THE STATE OF COLORADO,</p> <p>v.</p> <p>TANNER JOHN KIMBERLIN, DOB 6/13/1983  JEREMY S. CRAWFORD, DOB 1/27/1989  CORINNE N. KIMBERLIN, DOB 06/05/1978  AUSTIN HUNTER, DOB 3/31/1988  KYLE ABT, DOB 6/31/86  JACK JAGLA, DOB 5/30/1990  DREW HICKOK, DOB 03/21/1989  MICHAEL BAZZONE DOB 10/22/1985  NICHOLAS UCHENICK, DOB 01/19/1986  DAVID SCHMIDT, DOB 09/29/1972  LEON CISNEROS, DOB 09/20/1962  THE SILVER LIZARD, LLC</p> <p>Defendants.</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>JOHN W. SUTHERS, Attorney General  MICHAEL W. MELITO*  Senior Assistant Attorney General  1525 Sherman Street, 7<sup>th</sup> Floor  Denver, CO 80203  303-866-5738  Registration Number: 36059  *Counsel of Record</p>	<p>Grand Jury Case No.: 12CR01</p> <p>Ctrm: 209</p>
<p><b>COLORADO STATE GRAND JURY INDICTMENT</b></p>	

Of the 2011-2012 term of the Denver District Court in the year 2012; the 2011-2012 Colorado State Grand Jurors, chosen, selected and sworn in the name and by the authority of the People of the State of Colorado, upon their oaths, present the following:

- COUNT ONE: COCCA-Pattern of Racketeering – Participation in an Enterprise, §18-17-104(3), C.R.S., (F2)
- COUNT TWO: COCCA-Conspiracy/Endeavoring, §18-17-104(4), C.R.S., (F2)
- COUNT THREE: Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)
- COUNT FOUR: Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)
- COUNT FIVE: Money Laundering, §18-18-408(1)(a), C.R.S. (F-3)

COUNT SIX: Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

COUNT SEVEN: Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

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## COUNT ONE

Violation of the Colorado Organized Crime Control Act – Pattern of Racketeering-  
Participation in Enterprise, C.R.S. §18-17-104(3) and §18-17-105 (F2) **37284**

On or about and between January 1, 2008 and May 29, 2012, in and triable in the counties of Adams, Arapahoe, Denver, Douglas, Elbert, Mesa and Jefferson, in the State of Colorado, Tanner Kimberlin, Jeremy Scott Crawford, Corinne Nicole Kimberlin, Austin Hunter, Kyle Abt, Jack Jagla, Drew Hickok, Michael Bazzone, Nicholas Uchenick, David Schmidt, Leon Cisneros, The Silver Lizard, LLC and others both known and unknown, while employed by or associated with an enterprise, namely a group of individuals associated in fact, although not a legal entity, unlawfully, feloniously, and knowingly conducted or participated, directly or indirectly, in the enterprise through a pattern of racketeering activity: in violation of §18-17-104(3) and §18-17-105, C.R.S., and against the peace and dignity of the People of the State of Colorado.

## COUNT TWO

Violation of the Colorado Organized Crime Control Act – Conspiracy/Endeavoring, C.R.S.  
§18-17-104(4) (F2) **37285**

On or about and between January 1, 2008 and May 29, 2012, in and triable in the counties of Adams, Arapahoe, Denver, Douglas, Elbert, Mesa and Jefferson, in the State of Colorado, Tanner Kimberlin, Jeremy Scott Crawford, Corinne Nicole Kimberlin, Austin Hunter, Kyle Abt, Jack Jagla, Drew Hickok, Michael Bazzone, Nicholas Uchenick, David Schmidt, Leon Cisneros, The Silver Lizard, LLC and others both known and unknown, did unlawfully, knowingly, and feloniously conspire and endeavor to conduct and participate, directly or indirectly, in an enterprise, through a pattern of racketeering activity in violation of C.R.S. § 18-17-104(4) and §18-17-104(3), C.R.S., and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts One and Two were committed in the following manner:

### The Enterprise

The enterprise alleged in Counts One and Two consisted of a group of individuals, associated in fact, although not a legal entity. The enterprise included, the following associated in fact individuals, a group of individuals, along with legal entities and/or other entities:

Tanner Kimberlin, Jeremy Scott Crawford, Corinne Nicole Kimberlin, Austin Hunter, Kyle Abt, Jack Jagla, Drew Hickok, Michael Bazzone, Nicholas Uchenick, David Schmidt, Leon Cisneros, “Hippy Lady”, “Purple Guy”, “Smirnoff”, “Ian M.”, “C. Haines”, “South Dakota Guy”, “M. Potter”, “Lupe”, “Big Jeremy” “Chem Dog”, “B. Hutchinson”, “Justin B.”, “Scat”, “Smit” and others both known and unknown to the Grand Jury, including entities, such as The Silver Lizard, LLC, “Flavur Apparel”, “FLV Apparel” “TDS Apparel”,

“TDS Automotive” and “Toke City”, who were associated from time to time in the racketeering activity that was related to the conduct of the enterprise.

The above parties that associated with the enterprise, and the enterprise itself, engaged in a scheme to receive, buy, sell, deal, cultivate and/or distribute marijuana in Colorado and to distribute the marijuana to other states including but not limited to: Texas, Virginia, Maryland, South Dakota, Florida, Arizona, Louisiana, Indiana, Iowa, Massachusetts, Tennessee, New Mexico, Oregon and the District of Columbia.

The enterprise evolved into a multistate distribution ring, in part, because most members established personal connections with one another over several years. In fact, Tanner Kimberlin had been dealing marijuana to Austin Hunter and Jeremy Crawford as far back as 2005. Likewise, David Schmidt had known “Scat” for several years, as they were Phi Kappa Sigma fraternity brothers and had initially become acquainted at a fraternity event in Denver. Similarly, Jagla knew “Ian M.” from high school, both attended college together and each had joined the same fraternity chapter along with “Scat.” Further, in 2009 “Ian M.” helped introduce his school mate Jagla to Jeremy Crawford in order to obtain marijuana. Afterwards, Jagla, who knew Michael Bazzone through his own brother, introduced Michael Bazzone to Jeremy Crawford. Lastly, Schmidt knew Cisneros as they had engaged in several transactions involving business loans to The Silver Lizard, LLC.

Despite the multistate nature of the distribution ring, certain members focused their individual efforts by primarily occupying the supplier and or cultivator roles within the overall enterprise. Select members of the enterprise sometimes even used their own homes employing indoor and hydroponic-like grow methods to cultivate marijuana. Specifically, Tanner Kimberlin and Kyle Abt participated in the cultivation of marijuana on their own land, acted as suppliers and were often assisted during harvests by members of the enterprise and other persons known to the Grand Jury. David Schmidt also served as a local supplier by repeatedly distributing marijuana to another member of the enterprise nicknamed “Scat”. Further, Mr. Schmidt distributed marijuana which originated, in part, from a medical marijuana dispensary, named The Silver Lizard, LLC, in which Mr. Schmidt had a revenue interest. Mr. Schmidt developed that revenue interest after engaging in numerous business loans with Mr. Cisneros, the owner/operator of The Silver Lizard, LLC. Additionally, Mr. Cisneros as a high managerial agent of the Silver Lizard, engaged in the illegal distribution of marijuana to Mr. Schmidt and others on behalf of himself and The Silver Lizard, LLC. In the later stages of the enterprise’s activities, even Jeremy Crawford participated in the cultivation of marijuana by operating a marijuana “grow” in the basement of his house.

Mr. Crawford served primarily as the distribution component to this multi-state enterprise. From time to time, Mr. Crawford conspired with and utilized Austin Hunter, Jack Jagla and other individuals to act as runners to assist with the distribution of marijuana, via the United States mail, throughout the country and the State of Colorado. Out of state enterprise members Michael Bazzone, Drew Hickok and Nicholas Uchenick, frequently contacted Jeremy Crawford or his runners via text, instant message, email, phone or wire and ordered marijuana for the purposes of distributing it in their respective parts of the nation, including Massachusetts, Maryland, Virginia and Washington, D.C.

To thwart detection by law enforcement, the members of this criminal enterprise relied upon the internet, cellular phones and United States Post Offices to carry out their distribution activities. To conceal their criminal activities, some members utilized drop houses, fictitious company names or fictitious individual names when delivering or receiving packages of marijuana or money. In fact, several members of the enterprise engaged in money laundering and tax evasion in attempts to hide their illicit proceeds from law enforcement and or taxing authorities. Despite taxable earnings or taxable sales, others achieved similar goals of hiding their marijuana proceeds or collected sales tax from law enforcement and or taxing authorities by filing false returns or simply failing to collect or pay a trust tax . Some members even used portions of the proceeds from their illegal sales of marijuana to pay for mortgages, automobiles, various personal expenses or even improvements to their cars.

While each member occupied different roles within the enterprise, they relied upon the criminal acts of one another to achieve individual success in the context of the overall enterprise.

#### **Pattern of Racketeering Activity**

For purposes of Counts One and Two, Tanner Kimberlin, Jeremy Scott Crawford, Corinne Nicole Kimberlin, Austin Hunter, Kyle Abt, Jack Jagla, Drew Hickok, Michael Bazzone, Nicholas Uchenick, David Schmidt, Leon Cisneros and The Silver Lizard, LLC directly and in concert, engaged in, attempted to engage in, conspired to engage in, or solicited another to engage in at least two predicate acts, including any lesser offenses as permitted in §18-17-103, related to the conduct of the enterprise, with at least one of which took place in the State of Colorado after July 1, 1981 and the last of the acts of racketeering activity occurring within ten years after a prior act of racketeering activity and include:

- Cultivation of Marijuana
- Conspiracy to Commit Distribution of Marijuana
- Distribution of Marijuana
- Conspiracy to Distribute, or Possess with Intent to Manufacture or Distribute Marijuana
- Possession with Intent to Manufacture or Distribute Marijuana
- Money Laundering
- Unlawful Use of a Communications Facility
- Tax Evasion
- Filing a False Tax return
- Failure to Collect or Pay a Trust Tax
- Forgery
- Theft
- Attempt To Influence a Public Servant

## **RACKETEERING ACTIVITY**

The acts of racketeering activity that the above named persons and/or entities committed, attempted to commit, conspired to commit, or solicited, coerced, or intimidated another person to commit, consist of the following predicate acts, including any lesser included offenses permitted to be used as predicates under this statute:

### **PREDICATE ACT ONE**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between August 1, 2009 and October 31, 2009, in the State of Colorado, **Tanner John Kimberlin** and **Corinne Nicole Kimberlin** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A) C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT TWO**

Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between August 1, 2009 and October 31, 2009, in the State of Colorado, **Tanner John Kimberlin** and **Corinne Nicole Kimberlin** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A) C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT THREE**

Unlawful Use of a Communication Facility, 21 U.S.C. §843

On or about and between August 1, 2009 and October 31, 2009, in the State of Colorado, **Tanner John Kimberlin** and **Corinne Nicole Kimberlin** did knowingly or intentionally use a communications facility, namely, a wire, telephone and/or other means of communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843.

## PREDICATE ACT FOUR

Money Laundering, §18-18-408(1)(a), C.R.S. (F-3)

On or about and between August 1, 2009 and October 31, 2009, in the State of Colorado, **Tanner John Kimberlin** and **Corinne Nicole Kimberlin** did unlawfully, feloniously, knowingly, or intentionally received or acquired proceeds, or engaged in transactions involving proceeds, which the defendants knew were derived from Distribution of Marijuana; in violation of §18-18-408(1)(a), C.R.S., and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Predicate Acts One through Four incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

On or about and between August 1, 2009 and August 31, 2009 Tanner John Kimberlin, living in Colorado, and his sister Corinne Kimberlin, living in Iowa, contacted each other via wire, telephone, or other means of communication and conspired to sell or distribute marijuana. During that same time period, and in order to further their conspiracy, Mr. Kimberlin acquired marijuana from a Colorado source then travelled to Iowa for the purpose of delivering it to his sister, who was complicit in these criminal acts. Mr. Kimberlin completed this delivery segment of the distribution conspiracy when he passed approximately 50 pounds of marijuana to his sister at or near the August 2009 Iowa State Fair. In turn, Corinne Kimberline sold the marijuana for a profit in the State of Iowa. Ms. Kimberlin then kept a portion of the proceeds for herself that she received from the sale of marijuana. She then transmitted the remainder of the proceeds, on multiple occasions between August 1, 2009 and October 10, 2009, to her brother Tanner Kimberlin, in Colorado, through the use of money transfer orders and via wire money transfer. Both Tanner and Corinne Kimberlin conspired to and were entirely complicit in each other's actions to distribute marijuana and to wire the proceeds via telecommunications through a communication facility.

On at least one occasion after this first transaction, Mr. Kimberlin used a portion of the proceeds derived from the sale of the earlier delivery of marijuana in order to purchase a subsequent load of marijuana. Between September 1, 2009 and October 10, 2009 Tanner John Kimberlin and his sister Corinne Nicole Kimberlin contacted each other via wire, telephone, or other means of communication and conspired to sell or distribute marijuana. During this same time period, and in order to further their conspiracy, Mr. Kimberlin acquired marijuana in Colorado and again travelled to Iowa for the purpose of delivering it to his sister. Mr. Kimberlin completed this delivery segment of the distribution scheme by passing approximately 55 pounds or more of marijuana to his sister Corinne Nicole Kimberlin. Both Tanner and Corinne Kimberlin conspired to and were entirely complicit in each other's actions to distribute marijuana, unlawfully use a communication facility, and launder money.

After an interview with Iowa law enforcement officials, Ms. Corrine Kimberlin admitted that during the time period of August 1, 2009 and October 10, 2009 her brother Tanner Kimberlin transported about 150 pounds of marijuana from Colorado to Iowa as part of their distribution ring. Mr. Tanner Kimberlin admitted to Iowa law enforcement officials that during the time period of August 1, 2009 and October 10, 2009 he transported only about 100 pounds of marijuana from Colorado to Iowa to his sister Corrine Nicole Kimberlin as part of the distribution ring.

#### **PREDICATE ACT FIVE**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between December 1, 2009 and January 9, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A) C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

#### **PREDICATE ACT SIX**

Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between December 1, 2009 and January 9, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A) C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

#### **PREDICATE ACT SEVEN**

Unlawful Use of a Communication Facility, 21 U.S.C. §843

On or about and between December 1, 2009 and January 9, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** did knowingly or intentionally use a communications facility, namely, a U.S. Post Office, a wire, telephone and/or other means of electronic communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843.

The offenses alleged in Predicate Acts Five through Seven incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

On or about and between December 1, 2009 and January 9, 2010, Jeremy Scott Crawford, and his co-conspirators, "Smit" and an individual believed to be named "Chris Haines" knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate. A primary means of accomplishing the overall objective of the conspiracy to distribute was to deliver marijuana from Colorado to Mr. Haines in Massachusetts via the U.S. Postal system. Mr. Haines and his co-conspirators Mr. Crawford and "Smit" arranged for the delivery of the marijuana either by telephone, text, email, instant messaging and/or via a website dedicated to marijuana users. Each of the three individuals agreed to use a United States Post Office, to facilitate the distribution of marijuana, and to facilitate their conspiracy to distribute marijuana.

On at least one occasion between December 1, 2009 and January 9, 2010, "Smit" mailed an approximately 5 pound 6 ounce package containing marijuana from a United States Post Office in Colorado to Mr. Haines' Massachusetts address. Jeremy Scott Crawford, "Smit" and Chris Haines conspired to and were complicit in each other's actions to distribute marijuana through the United States Post Office.

#### **PREDICATE ACT EIGHT**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4).

On or about and between January 10, 2010 and July 31, 2011, in the State of Colorado, **Jeremy Scott Crawford, Austin Hunter and Nicholas Uchenick** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

#### **PREDICATE ACT NINE**

Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between January 10, 2010 and July 31, 2011, in the State of Colorado, **Jeremy Scott Crawford, Austin Hunter and Nicholas Uchenick** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

## **PREDICATE ACT TEN**

### Unlawful Use of a Communication Facility, 21 U.S.C. §843

On or about and between January 10, 2010 and July 31, 2011, in the State of Colorado, **Jeremy Scott Crawford, Austin Hunter and Nicholas Uchenick** did knowingly or intentionally use a communications facility, namely, a U.S. Post Office, a wire, telephone and/or other means of electronic communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843.

The offenses alleged in Predicate Acts Eight through Ten incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

On or about and between January 10, 2010 and July 31, 2011, in the State of Colorado, **Jeremy Scott Crawford**, and his co-conspirators **Nicholas Uchenick, Austin Hunter** and "Smit" knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate. The object of the conspiracy to distribute was to deliver multiple pounds of marijuana from Colorado to **Nicholas Uchenick** in Massachusetts via the U.S. Postal system. **Mr. Uchenick** and his co-conspirators **Crawford, Hunter** and "Smit" arranged the delivery of the marijuana either by telephone, text, email and/or via a website dedicated to marijuana users. Each of the individuals agreed to use a United States Post Office, to facilitate the distribution of marijuana, and to facilitate this conspiracy to distribute marijuana. During this timeframe, **Crawford, Hunter** and/or "Smit" mailed several packages containing marijuana between a United States Post Office in Colorado and a United States Post Office in or near **Topsfield, Massachusetts**. On at least one occasion the conspirators agreed to falsify the shipping label in efforts to trick U.S. Mail carriers into delivering a package of marijuana. **Jeremy Scott Crawford, Austin Hunter, "Smit" and Nicholas Uchenick** conspired to and were complicit in each other's actions to distribute marijuana through the United States Post Office.

## **PREDICATE ACT ELEVEN**

### Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between May 1, 2010 and June 1, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

## **PREDICATE ACT TWELVE**

Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between May 1, 2010 and June 1, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A) C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

## **PREDICATE ACT THIRTEEN**

Unlawful Use of a Communication Facility, 21 U.S.C. §843

On or about and between May 1, 2010 and June 1, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** did knowingly or intentionally use a communications facility, namely, a U.S. Post Office, a wire, telephone and/or other means of electronic communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843 .

The offenses alleged in Predicate Acts Eleven through Thirteen incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

On or about and between May 1, 2010 and June 1, 2010, Jeremy Scott Crawford, and his co-conspirators, "Ian M." and others known and unknown to the Grand Jury, knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate. The object of this segment of the conspiracy to distribute was to deliver marijuana from Colorado to "Ian M." in Oregon via the U.S. Mail system. "Ian M." and his co-conspirator Crawford arranged the delivery of the marijuana either by telephone and/or via a website dedicated to marijuana users. Each of the individuals agreed to use a United States Post Office, to facilitate the distribution of marijuana, and to facilitate their conspiracy to distribute marijuana. On or about May 11, 2010 Mr. Crawford caused an approximate 3 pound package containing marijuana to be mailed from a United States Post Office in Colorado to "Ian M.'s" address in Eugene, Oregon. Jeremy Scott Crawford, and "Ian M." conspired to and were complicit in each other's actions to distribute marijuana through the United States Post Office.

### **PREDICATE ACT FOURTEEN**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between May 1, 2010 and June 1, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT FIFTEEN**

Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between May 1, 2010 and June 1, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A) C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT SIXTEEN**

Unlawful Use of a Communication Facility, 21 U.S.C. §843

On or about and between May 1, 2010 and June 1, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** did knowingly or intentionally use a communications facility, namely, a U.S. Post Office, a wire, telephone and/or other means of electronic communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843.

The offenses alleged in Predicate Acts Fourteen through Sixteen incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

On or about and between May 1, 2010 and June 1, 2010, **Jeremy Crawford**, Matthew Apone, "Smit" and others known and unknown to the Grand Jury, knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate. The object of this segment of the conspiracy to distribute was to deliver marijuana from Colorado to Mr. Apone in Massachusetts via the U.S. Mail system. Mr. Apone and his co-conspirator Mr. Crawford arranged the delivery of the marijuana either by telephone and/or via a website dedicated to marijuana users. Each of the involved individuals agreed to use a United States Post Office, to facilitate the distribution of marijuana, and to facilitate their conspiracy to

distribute marijuana. On or about May 18, 2010 Mr. Crawford caused a package containing marijuana to be mailed from a United States Post Office in Englewood, Colorado to Mr. Apone's address in Sharon, Massachusetts. Jeremy Scott Crawford, "Smit" and Matthew Apone stood complicit in each other's actions to distribute marijuana and to do so through the United States Post Office.

### **PREDICATE ACT SEVENTEEN**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between May 1, 2010 and August 10, 2011, in the State of Colorado, **Jeremy Scott Crawford and Jack Jagla** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT EIGHTEEN**

Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between May 1, 2010 and August 10, 2011, in the State of Colorado, **Jeremy Scott Crawford and Jack Jagla** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT NINETEEN**

Unlawful Use of a Communication Facility, 21 U.S.C. §843

On or about and between May 1, 2010 and August 10, 2011, in the State of Colorado, **Jeremy Scott Crawford and Jack Jagla** did knowingly or intentionally use a communications facility, namely, a U.S. Post Office, a wire, telephone and/or other means of electronic communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843.

The offenses alleged in Predicate Acts Seventeen through Nineteen incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

On or about and between May 1, 2010 and August 10, 2011, in the State of Colorado, **Jeremy Scott Crawford** and his co-conspirators, **Jack Jagla** and others known and unknown to the Grand Jury, knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate. The object of the conspiracy to distribute was to deliver

marijuana from Colorado to Mr. Jagla via the U.S. Mail system. Mr. Jagla and his co-conspirator Crawford arranged the delivery of the marijuana either by telephone and/or via a website dedicated to marijuana users. Each of the individuals agreed to use a United States Post Office, to facilitate the distribution of marijuana, and to facilitate their conspiracy to distribute marijuana. During this timeframe, at least one package containing marijuana was mailed between a United States Post Office in Colorado and a United States Post office in Portland, Oregon. On at least one occasion the conspirators placed false information on the shipping label in an effort to trick U.S. Mail carriers into delivering a package. Jeremy Scott Crawford and Jack Jagla conspired to and were complicit in each other's actions to distribute marijuana through the United States Post Office.

### PREDICATE ACT TWENTY

Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between June 1, 2010 and July 31, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### PREDICATE ACT TWENTY ONE

Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between June 1, 2010 and July 31, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### PREDICATE ACT TWENTY TWO

Unlawful Use of a Communication Facility, 21 U.S.C. §843

On or about and between June 1, 2010 and July 31, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** did knowingly or intentionally use a communications facility, namely, a U.S. Post Office, a wire, telephone and/or other means of electronic communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843.

The offenses alleged in Predicate Acts Twenty through Twenty Two incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

On or about and between June 1, 2010 and July 31, 2010, in the State of Colorado, **Jeremy Scott Crawford** and his co-conspirators Justin Ratley A.K.A. "James C." and others known and unknown to the Grand Jury, knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate. The object of the conspiracy to distribute was to deliver marijuana from Colorado to Mr. Ratley A.K.A. "James C." in New Orleans, Louisiana via the U.S. Mail system. Mr. Ratley A.K.A. "James C." and his co-conspirator Crawford arranged the delivery of the marijuana either by telephone and/or via a website dedicated to marijuana users. Each of the individuals agreed to use a United States Post Office, to facilitate the distribution of marijuana, and to facilitate this conspiracy to distribute marijuana. During this timeframe, at least one package containing marijuana was mailed between a United States Post Office in Colorado and a United States Post office in New Orleans, Louisiana. On at least one occasion the conspirators wrote false information on the shipping label and in an effort to trick U.S. Mail carriers into delivering a package. Jeremy Crawford and Justin Ratley A.K.A. "James C." conspired to and were complicit in each other's actions to distribute marijuana through the United States Post Office.

### **PREDICATE ACT TWENTY THREE**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4)

On or about and between July 1, 2010 and November 30, 2011, in the State of Colorado, **Jeremy Scott Crawford and Drew Hickok** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT TWENTY FOUR**

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4)

On or about and between July 1, 2010 and November 30, 2011, in the State of Colorado, **Jeremy Scott Crawford and Drew Hickok** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

## PREDICATE ACT TWENTY FIVE

Unlawful Use of a Communication Facility, 21 U.S.C. §843

On or about and between July 1, 2010 and November 30, 2011, in the State of Colorado, **Jeremy Scott Crawford and Drew Hickok** did knowingly or intentionally use a communications facility, a U.S. Post Office, a wire, telephone and/or other means of electronic communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843 .

The offenses alleged in Predicate Acts Twenty Three through Twenty Five incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

On or about and between July 1, 2010 and November 30, 2011, in the State of Colorado, **Jeremy Scott Crawford** and his co-conspirators **Drew Hickok** and others known and unknown to the Grand Jury, knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate. The object of the conspiracy to distribute was to deliver marijuana from Colorado to Drew Hickok A.K.A., Drew Hidede in Massachusetts via the U.S. Mail system. Mr. Hickok and his co-conspirator Crawford arranged for the delivery of the marijuana either by telephone and/or via a website dedicated to marijuana users. Each of the individuals agreed to use a United States Post Office, to facilitate the distribution of marijuana, and to facilitate this conspiracy to distribute marijuana. During this timeframe, at least one package containing marijuana was mailed between a United States Post Office in Colorado and a United States Post office in Gardner and or Fitchberg, Massachusetts. On at least one occasion the conspirators placed false information on the shipping label in an effort to trick U.S. Mail carriers into delivering a package of illegal drugs that they would not otherwise deliver. Further, Jeremy Crawford and Drew Hickok conspired to and were complicit in each other's actions to distribute marijuana through the United States Post Office.

## PREDICATE ACT TWENTY SIX

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between July 1, 2010 and October 31, 2010, in the State of Colorado, **Jeremy Scott Crawford, Austin Hunter and Michael Bazzone**, unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

## PREDICATE ACT TWENTY SEVEN

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between July 1, 2010 and October 31, 2010, in the State of Colorado, **Jeremy Scott Crawford, Austin Hunter and Michael Bazzone**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

## PREDICATE ACT TWENTY EIGHT

Unlawful Use of a Communication Facility, 21 U.S.C. §843

On or about and between July 1, 2010 and October 31, 2010, in the State of Colorado, **Jeremy Scott Crawford, Austin Hunter and Michael Bazzone**, did knowingly or intentionally use a communications facility, namely, a U.S. Post Office, a wire, telephone and/or other means of electronic communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843.

The offenses alleged in Predicate Acts Twenty Six through Twenty Eight incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

On or about and between July 1, 2010 and October 31, 2010, **Jeremy Scott Crawford, Austin Hunter and Michael Bazzone**, and others known and unknown to the Grand Jury, knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate. The object of the conspiracy to distribute was to deliver marijuana from Colorado to Washington, D.C. via the U.S. Mail system. Mr. **Michael Bazzone** and his co-conspirators Crawford and Hunter arranged the delivery of the marijuana either by telephone and/or via a website dedicated to marijuana users. Each of the individuals agreed to use a United States Post Office, to facilitate the distribution of marijuana, and to facilitate their conspiracy to distribute marijuana. During this timeframe, at least one package containing marijuana was mailed between a United States Post Office in Colorado and a United States Post office in Washington, D.C. On at least one occasion the conspirators placed false information on the shipping label in an effort to trick U.S. Mail carriers into delivering a package. To thwart detection of his identity, Mr. Bazzone frequently utilized "drop-houses" and several aliases including but not limited to: DJ Jazzy Step, DJ E.R., DJ Two Step, DJ Too Krunk, DJ Flash 'n Pan, DJ Charlie Conway, DJ F. Reed, DJ Fulton Reed and DJ Goldberg. **Jeremy Scott Crawford, Austin Hunter and Michael Bazzone** conspired to and were complicit in each other's actions to distribute marijuana through the United States Post Office.

### PREDICATE ACT TWENTY NINE

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between July 1, 2010 and October 1, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury**, unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### PREDICATE ACT THIRTY

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between July 1, 2010 and October 1, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### PREDICATE ACT THIRTY ONE

Unlawful Use of a Communication Facility, 21 U.S.C. §843

On or about and between July 1, 2010 and October 1, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury**, did knowingly or intentionally use a communications facility, namely, a U.S. Post Office, a wire, telephone and/or other means of electronic communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843 .

The offenses alleged in Predicate Acts Twenty Nine through Thirty One incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

On or about and between July 1, 2010 and October 1, 2010, in the State of Colorado, **Jeremy Crawford** and his co-conspirator "Smit" knowingly conspired with each other and other persons known to the Grand Jury, to sell or distribute marijuana or marijuana concentrate. The ultimate object of the conspiracy to distribute was to deliver marijuana from Colorado to a mailbox in Memphis, Tennessee via the U.S. Mail system. During July of 2010, Mr. Crawford and "Smit" arranged by telephone for the delivery of marijuana to undercover agents located in Colorado. After repeated small purchases, Mr. Crawford was informed that his customers were returning to college in Memphis and needed to have marijuana mailed to their school in Tennessee. Mr. Crawford then conspired with "Smit" to

bring the marijuana to a post office in Colorado for shipment to Tennessee. Each of the individuals involved in this transaction agreed to use a United States Post Office, to facilitate the distribution of marijuana, and to facilitate their conspiracy to distribute marijuana. During this timeframe, Mr. Crawford caused an approximately one pound package containing marijuana to be mailed between a United States Post Office in Colorado and a United States Post office in Memphis, Tennessee. Unbeknownst to Mr. Crawford, the address in Tennessee was actually a mailbox used by undercover law enforcement. Jeremy Scott Crawford, others known the Grand Jury and "Smit" conspired to and were complicit in each other's actions to distribute marijuana through the United States Post Office.

### **PREDICATE ACT THIRTY TWO**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between October 1, 2010 and December 31, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury**, unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT THIRTY THREE**

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between October 1, 2010 and December 31, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT THIRTY FOUR**

**Unlawful Use of a Communication Facility, 21 U.S.C. §843**

On or about and between October 1, 2010 and December 31, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury**, did knowingly or intentionally use a communications facility, namely, a U.S. Post Office, a wire, telephone and/or other means of electronic communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843.

The offenses alleged in Predicate Acts Thirty Two through Thirty Four incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

On or about and between October 1, 2010 and December 31, 2010, in the State of Colorado, **Jeremy Scott Crawford** and his co-conspirator "Smit" knowingly conspired with each other and other persons known to the Grand Jury, to sell or distribute marijuana or marijuana concentrate. The object of the conspiracy to distribute was to deliver marijuana from the Front Range of Colorado to people in Grand Junction Colorado via the U.S. Mail system. Mr. Crawford was led to believe that the individuals in Grand Junction were associates of the people returning to college in Tennessee. Mr. Crawford and "Smit" arranged for the delivery of the marijuana to Grand Junction, Colorado by telephone. Unbeknownst to Mr. Crawford, the address in Grand Junction that he and "Smit" mailed the marijuana to was, once again, a mailbox used by undercover law enforcement. All of the individuals involved in this incident agreed to use a United States Post Office, to facilitate the distribution of marijuana, and to facilitate the conspiracy to distribute marijuana. During this timeframe, two Ziploc bags containing approximately 4 ounces of marijuana was mailed between United States Post Offices in Colorado. In mid December, Mr. Crawford mailed another package containing at least half a pound of marijuana to the undercover agents using the Grand Junction mailbox. On at least one occasion the conspirators labeled the shipping label falsely and in an effort to deceive U.S. Mail carriers into delivering a package they would otherwise not deliver. Jeremy Scott Crawford and "Smit" conspired to and were complicit in each other's actions to distribute marijuana through the United States Post Office.

#### **PREDICATE ACT THIRTY FIVE**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between January 1, 2011 and February 28, 2011, in the State of Colorado, **Tanner John Kimberlin** and **Jeremy Scott Crawford** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

#### **PREDICATE ACT THIRTY SIX**

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between January 1, 2011 and February 28, 2011, in the State of Colorado, **Tanner John Kimberlin** and **Jeremy Scott Crawford** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### PREDICATE ACT THIRTY SEVEN

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between January 1, 2011 and February 28, 2011, in the State of Colorado, **David Schmidt, Michael Bazzone and Jeremy Scott Crawford** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### PREDICATE ACT THIRTY EIGHT

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between January 1, 2011 and February 28, 2011, in the State of Colorado, **David Schmidt, Michael Bazzone and Jeremy Scott Crawford** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### PREDICATE ACT THIRTY NINE

Unlawful Use of a Communication Facility, 21 U.S.C. §843

On or about and between January 1, 2011 and February 28, 2011, in the State of Colorado, **David Schmidt, Jeremy Scott Crawford, Tanner Kimberlin and Michael Bazzone** did knowingly or intentionally use a communications facility, namely, a U.S. Post Office, a wire, telephone and/or other means of electronic communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843.

The offenses alleged in Predicate Acts Thirty Five through Thirty Nine incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

In early February of 2011, **Jeremy Scott Crawford** and his co-conspirator "Smit" knowingly conspired with Tanner Kimberlin, to sell or distribute marijuana or marijuana concentrate. The ultimate object of the conspiracy to distribute was to deliver marijuana via the U.S. mail from the Front Range of Colorado to Michael Bazzone in Washington, D.C. Between January 1, 2011 and February 5, 2011 Michael Bazzone, through text or telephone calls, ordered marijuana from Jeremy Crawford with the intent that it be delivered to a drop house in Washington, D.C. and then later to Bazzone's customers. Mr. Crawford and "Smit" coordinated by telephone with one of their suppliers, Tanner Kimberlin, through calls and or

text messages to acquire marijuana for the delivery to Washington, D.C. Mr. Kimberlin then personally delivered approximately 10 ounces of marijuana to Jeremy Crawford at his home.

Despite the delivery from Mr. Kimberlin, Mr. Crawford lacked sufficient marijuana to fulfill the order of Mr. Bazzone. Mr. Crawford then contacted an individual known as "Scat", via text message and or phone call, to obtain additional marijuana for Mr. Bazzone's delivery to Washington, D.C. "Scat" then contacted his own supplier, David Schmidt, via text or telephone to fulfill Mr. Crawford's and ultimately Mr. Bazzone's order. Later that day, Mr. Crawford obtained four quarter pound bags of marijuana from "Scat" that were originally supplied by David Schmidt.

Mr. Bazzone and Mr. Crawford agreed to use a United States Post Office, to facilitate the distribution of marijuana, and to facilitate the conspiracy to distribute marijuana. During this timeframe, one package of marijuana weighing approximately 2 pounds 14 ounces was mailed between the United States Post Offices in Colorado and Washington, D.C. On at least one occasion the conspirators agreed to falsely label the package in an effort to deceive U.S. Mail carriers into delivering a package of drugs they would otherwise not deliver. Jeremy Scott Crawford, "Smit" and Michael Bazzone conspired to and were complicit in each other's actions to distribute marijuana through the United States Post Office.

#### **PREDICATE ACT FORTY**

Theft - \$20,000 Or More, §18-4-401(1),(2)(d), C.R.S. (F3)

On or about and between June 1, 2009 and August 31, 2009, in the State of Colorado, **Kyle Abt** unlawfully, feloniously, and knowingly obtained or exercised control over a thing of value, namely: money, with a value of more than twenty thousand dollars, without authorization, or by threat or deception, and intended to deprive W.R. Starkey, LLP, its successors and or assigns, permanently of its use or benefit; in violation of §18-4-401(1)(a),(2)(d), C.R.S. (F3), and against the peace and dignity of the People of the State of Colorado.

#### **PREDICATE ACT FORTY ONE**

Forgery of Checks or Commercial Instruments, §18-5-102(1)(c), C.R.S. (F5) **1001C**

On or about and between June 1, 2009 and August 31, 2009, in the State of Colorado, **Kyle Abt**, with the intent to defraud W.R. Starkey, LLP, its successors and/or assigns unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: falsified documents used to obtain a home loan, including but not limited to closing documents, employment documents, earning statements and asset statements; in violation of §18-5-

102(1)(c), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT FORTY TWO**

Cultivation of Marijuana, More than Thirty Plants §18-18-406(7.5)(c), C.R.S. (F4) **88033**

On or about and between December 1, 2009 and August 10, 2011 in the State of Colorado, **Kyle Abt and Jeremy Crawford** unlawfully, feloniously, and knowingly cultivated, grew, or produced marijuana plants, or allowed marijuana plants to be cultivated, grown, or produced on land owned, occupied, or controlled by the defendants. Further, the number of marijuana plants was thirty or more; in violation of §18-18-406(7.5)(c), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT FORTY THREE**

Conspiracy to Distribute, or Possess with Intent to Manufacture or Distribute, Marijuana – Five to One Hundred Pounds, 18-18-406(6)(b)(I),(III)(B), C.R.S. (F4) **88052**

On or about and between December 1, 2009 and August 10, 2011, in the State of Colorado, **Kyle Abt and Jeremy Crawford** unlawfully, feloniously, and knowingly conspired with one another and with and person or persons known and unknown to the Grand Jury, to sell, distribute, or possess with intent to manufacture, sell or distribute marijuana. Further, the amount of marijuana was at least five pounds but not more than one hundred pounds; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT FORTY FOUR**

Possession with Intent to Manufacture or Distribute Marijuana - Five to One Hundred Pounds, C.R.S. §18-18-406(6)(b)(I),(III)(B), (F4) **88042**

On or about and between December 1, 2009 and August 10, 2011, in the State of Colorado, **Kyle Abt** unlawfully, feloniously, and knowingly possessed, or attempted to possess, with intent to manufacture, sell or distribute, marijuana. Further, the amount of marijuana was at least five pounds but not more than one hundred pounds; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT FORTY FIVE**

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4)

On or about and between December 1, 2009 and August 10, 2011, in the State of Colorado, **Kyle Abt** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-

406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT FORTY SIX**

Unlawful Use of a Communication Facility, 21 U.S.C. §843

On or about and between December 1, 2009 and August 10, 2011, in the State of Colorado, **Kyle Abt and Jeremy Crawford** did knowingly or intentionally use a communications facility, namely, a wire, telephone and/or other means of communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843 .

### **PREDICATE ACT FORTY SEVEN**

Money Laundering, §18-18-408(1)(a), C.R.S. (F-3)

On or about and between September 1, 2009 and August 31, 2011, in the State of Colorado, **Kyle Abt and Jeremy Crawford** did unlawfully, feloniously, knowingly, or intentionally received or acquired proceeds, or engaged in transactions involving proceeds, which the defendants knew were derived from the Distribution of Marijuana; in violation of §18-18-408(1)(a), C.R.S. (F3), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Predicate Acts Forty through Forty Seven incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

As part of the overall scheme to produce and distribute marijuana, Kyle C. Abt purchased a home in Parker, Colorado for the purposes of utilizing the house to grow marijuana. Between July 1, 2009 and August 31, 2009 Kyle C. Abt submitted fraudulent closing documents, employment documents, earning statements and asset statements; along with other falsified statements to a financial institution called W.R. Starkey, LLP. Mr. Abt submitted these forged documents in order to fraudulently obtain a home loan and the false statements in the documents were, in fact, relied on by individuals involved in the mortgage lending process.

The fraudulent documents that Mr. Abt submitted were instruments which were or which purported to be, or which were calculated to become or to represent if completed, a contract, assignment, commercial instrument, promissory note, or other instrument which document did or may evidence create, transfer, terminate, or otherwise affect a legal right, interest, obligation, or status. Through this series of deceitful acts, Kyle Abt unlawfully, feloniously and knowingly obtained or exercised control of a home loan for more than \$400,000.00 and intended to permanently deprive W.R. Starkey, LLP and or its successors and assigns of the use and benefit of the home loan.

Mr. Abt primarily utilized the basement of his fraudulently purchased house to grow and manufacture marijuana. Between December of 2010 and August of 2011, Mr. Abt grew over one hundred and fifty marijuana plants as part of the overall distribution scheme of the enterprise. Mr. Abt conspired to produce and distribute and actually produced and distributed marijuana by providing his "home grown" marijuana, and sometimes marijuana plants themselves, to other members of the enterprise, including Jeremy Crawford in an amount over five pounds but less than one hundred pounds. Additionally, Mr. Crawford and Mr. Abt coordinated by telephone through calls and/or text messages with the understanding that this home grown marijuana would be sold or sent to customers in Colorado and throughout the country.

In the spring of 2011 Mr. Crawford moved into a house in Elbert County where he utilized the basement of his house to grow and manufacture marijuana plants some of which he had received from Kyle Abt. Between January and August of 2011, Mr. Crawford grew over thirty marijuana plants as part of the overall distribution scheme of the enterprise. Mr. Crawford grew his marijuana with the understanding that it would be sold or sent to customers in Colorado and throughout the country.

Furthermore, Mr. Abt and Mr. Crawford received or acquired proceeds, or engaged in transactions involving proceeds, which they knew were derived from the distribution of marijuana. Specifically, during the above referenced period of September 1, 2009 to August 31, 2011, Mr. Abt used part of his drug proceeds to perform financial transactions including making mortgage payments on his house in Parker, purchasing handblown glass and making payments for the continuing production costs of his illegal marijuana grow. Likewise, during the same period from September 1, 2009 to August 31, 2011, Mr. Crawford used part of his drug proceeds to perform financial transactions including but not limited to making improvements on his car(s), purchasing handblown glass for the purposes of resale and making payments for the continuing production costs of his illegal marijuana grow.

#### **PREDICATE ACT FORTY EIGHT**

Evasion of Taxes Administered by the Colorado Department of Revenue, §39-21-118 (1), C.R.S. (F-5) **40021**

On or about and between January 1, 2010 and April 18, 2011, in the State of Colorado, **Jeremy Crawford**, did unlawfully, feloniously and willfully attempt to evade and defeat a tax administered by the Colorado Department of Revenue, or a payment thereof namely, Colorado Income Tax, in violation of §39-21-118(1), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

#### **PREDICATE ACT FORTY NINE**

Filing a False Tax Return, §39-21-118(4), C.R.S. (F5) **40024**

On or about October 14, 2011 in the State of Colorado, **Jeremy Crawford**, unlawfully, feloniously, and willfully made and subscribed returns, statements, or other documents, which contained or were verified by a written declaration that they were made under the penalties of perjury, and which the defendant did not believe to be true and correct

as to every material matter; in violation of §39-21-118(4), C.R.S., (F5), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Predicate Acts Forty Eight through Forty Nine incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

As a result of repeated sales of marijuana to customers during tax year 2010, Mr. Crawford had income of over \$100,000.00. On or about October 14, 2011 Mr. Crawford filed a false return with the Colorado Department of Revenue and failed to report his income derived from the above mentioned sales of marijuana. Furthermore, Mr. Crawford hid the proceeds of his illegal marijuana and glass paraphernalia sales and attempted to defeat or evade a tax administered by the Colorado Department of Revenue.

#### **PREDICATE ACT FIFTY**

Evasion of Taxes Administered by the Colorado Department of Revenue, §39-21-118 (1), C.R.S. (F-5) **40021**

On or about and between January 1, 2008 and March 31, 2011, in the State of Colorado, **Tanner John Kimberlin**, did unlawfully, feloniously and willfully attempt to evade and defeat a tax administered by the Colorado Department of Revenue, or a payment thereof namely, Colorado Income Tax in violation of §39-21-118(1), C.R.S., and against the peace and dignity of the People of the State of Colorado.

#### **PREDICATE ACT FIFTY ONE**

Filing a False Tax Return, §39-21-118(4), C.R.S. (F5) **40024**

On or about and between March 1, 2009 and March 31, 2011, in the State of Colorado, **Tanner John Kimberlin**, unlawfully, feloniously, and willfully made and subscribed returns, statements, or other documents, which contained or were verified by a written declaration that they were made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter; in violation of §39-21-118(4), C.R.S., (F5), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Predicate Acts Fifty through Fifty One incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

As a result of repeated sales of marijuana to customers during tax years 2008, 2009 and 2010 Mr. Kimberlin had income that he deliberately failed to report on his 2008, 2009 and 2010 tax returns. Accordingly, as his returns did not reflect this income from the marijuana sales he filed false returns for those same tax years. Between January 1, 2008 and March 10, 2011, Mr.

Kimberlin hid the proceeds of his illegal marijuana sales and attempted to defeat or evade a tax administered by the Colorado Department of Revenue.

### **PREDICATE ACT FIFTY TWO**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between August 10, 2011 and December 31, 2011, in the State of Colorado, **Michael Bazzone and persons known to the Grand Jury**, unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT FIFTY THREE**

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between August 10, 2011 and December 31, 2011, in the State of Colorado, **Michael Bazzone and persons known to the Grand Jury**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT FIFTY FOUR**

Unlawful Use of a Communication Facility, 21 U.S.C. §843

On or about and between August 10, 2011 and December 31, 2011, **Michael Bazzone and persons known to the Grand Jury** did knowingly or intentionally use a communications facility, namely, a U.S. Post Office, a wire, telephone and/or other means of electronic communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843.

The offenses alleged in Predicate Acts Fifty Two through Fifty Four incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

On or about and between August 10, 2011 and December 31, 2011, in the States of Colorado, Maryland and in the District of Columbia, **Michael Bazzone and persons known to the Grand Jury** conspired to sell or distribute marijuana or marijuana concentrate. The ultimate object of the conspiracy was to distribute marijuana. Michael Bazzone, through text or telephone calls, ordered marijuana from **persons known to the Grand Jury**. These persons then delivered approximately two pounds of marijuana to Michael Bazzone through the U.S. Postal Service between August 10, 2011 and December 31, 2011.

### **PREDICATE ACT FIFTY FIVE**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4)

On or about and between February 1, 2012 and May 10, 2012, in the State of Colorado, **David Schmidt and a person known to the Grand Jury** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(B) C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT FIFTY SIX**

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4)

On or about and between February 1, 2012 and May 10, 2012, in the State of Colorado, **David Schmidt** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT FIFTY SEVEN**

Unlawful Use of a Communication Facility, 21 U.S.C. §843

On or about and between February 1, 2012 and May 10, 2012, in the State of Colorado, **David Schmidt** did knowingly or intentionally use a communications facility, namely, namely, a wire, telephone and/or other means of communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843.

The offenses alleged in Predicate Acts Fifty Five through Fifty Seven incorporate the above mentioned facts, were committed in the following manner and with part of each of the criminal acts occurring in the State of Colorado:

On or after February 1, 2012, in the State of Colorado, **David Schmidt** conspired with "Scat", to sell or distribute marijuana or marijuana concentrate. The ultimate object of the conspiracy was to distribute marijuana. "Scat", through text or telephone calls, ordered marijuana on multiple occasions from **David Schmidt**. **David Schmidt** then delivered over five pounds of marijuana (but not more than one hundred pounds) to "Scat" from the period between February 1, 2012 to May 10, 2012.

### **PREDICATE ACT FIFTY EIGHT**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4)

On or about and between January 1, 2012 and May 26, 2012, in the State of Colorado, **Leon Cisneros and The Silver Lizard, LLC and persons known to the Grand Jury** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT FIFTY NINE**

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4)

On or about and between January 1, 2012 and May 26, 2012, in the State of Colorado, **Leon Cisneros and The Silver Lizard, LLC** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT SIXTY**

Tax Violation - Failure to Collect/Pay Trust Tax, §39-21-118(2), C.R.S. (F5) **40022**

On or about and between March 20, 2011 and April 30, 2012, in the State of Colorado, **Leon Cisneros and The Silver Lizard, LLC**, who were required by law to collect, account for, or pay over a tax, unlawfully, feloniously, and willfully failed to collect or truthfully account for or pay over the tax; to wit: sales tax; in violation of §39-21-118(2), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT SIXTY ONE**

Filing a False Tax Return, §39-21-118(4), C.R.S. (F5) **40024**

On or about and between March 20, 2011 and April 30, 2012, in the State of Colorado, **Leon Cisneros and The Silver Lizard, LLC**, unlawfully, feloniously, and willfully made and subscribed a return, statement, or other document, which contained or was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter; in violation of §39-21-118(4), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT SIXTY TWO**

Theft - \$1,000 - \$20,000, §18-4-401(1),(2)(c), C.R.S. (F4) **0801U**

On or about and between March 20, 2011 and April 30, 2012, in the State of Colorado, **Leon Cisneros and The Silver Lizard, LLC**, unlawfully, feloniously, and knowingly obtained or exercised control over a thing of value, namely: money of The Colorado Department of Revenue, with the value of one thousand dollars or more but less than twenty thousand dollars, without authorization, or by threat or deception, and intended to deprive The Colorado Department of Revenue permanently of its use or benefit; in violation of §18-4-401(1)(a),(2)(c), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT SIXTY THREE**

Attempt To Influence A Public Servant, §18-8-306, C.R.S. (F4) **24051**

On or about and between April 20, 2012 and April 30, 2012 in the State of Colorado **Leon Cisneros and The Silver Lizard, LLC**, unlawfully and feloniously attempted to influence Valerie Lujan, who is a public servant, by means of deceit, with the intent thereby to alter or affect the public servant's decision, vote, opinion, or action concerning a matter which was to be considered or performed by the public servant or the agency or body of which the public servant was a member; in violation of §18-8-306, C.R.S. (F-4), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT SIXTY FOUR**

Evasion of Taxes Administered by the Colorado Department of Revenue, §9-21-118 (1), C.R.S. (F-5) **40021**

On or about and between March 20, 2011 and April 30, 2012, in the State of Colorado, **Leon Cisneros and The Silver Lizard, LLC**, did unlawfully, feloniously and willfully attempt to evade and defeat a tax administered by the Colorado Department of Revenue, or a payment thereof namely, Colorado Sales Tax in violation of §9-21-118(1) C.R.S. (F-5), and against the peace and dignity of the People of the State of Colorado.

### **PREDICATE ACT SIXTY FIVE**

Unlawful Use of a Communication Facility, 21 U.S.C. §843

On or about and between January 1, 2012 and May 26, 2012, **Leon Cisneros and persons known to the Grand Jury** did knowingly or intentionally use a communications facility, namely, a U.S. Post Office, a wire, telephone and/or other means of electronic communication, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to

distribute a controlled substance in violation of 21 U.S.C. §§841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. §843.

The offenses alleged in Predicate Acts Fifty Eight through Sixty Five incorporate the above mentioned facts, were committed in the following manner and occurred in the State of Colorado:

Shortly after January 1, 2012 and continuing until approximately May 26, 2012, Leon Cisneros conspired with David Schmidt and "Jake", a person known to the Grand Jury, to sell or distribute marijuana or marijuana concentrate. The ultimate object of the conspiracy with these other men was to illegally distribute marijuana. Between January 1, 2012 and May 26, 2012 David Schmidt ordered marijuana on multiple occasions from Leon Cisneros and the Silver Lizard, LLC, through text or telephone calls. Mr. Cisneros used his position as owner and high managerial agent of The Silver Lizard, LLC, to commit the above acts. Ultimately, Mr. Cisneros and the Silver Lizard delivered over forty pounds of marijuana to David Schmidt and/or "Jake". Mr. Cisneros was informed on a least one occasion that the marijuana he sold was destined for Cincinnati, Ohio. Except for a single one pound sale of marijuana to "Jake", the above described sales of marijuana by Mr. Cisneros and the Silver Lizard occurred in multi-pound increments ranging from two to nine pounds.

Between March 20, 2011 and April 30, 2012, Mr. Cisneros used his position as owner and high managerial agent of The Silver Lizard, LLC, to fraudulently divert sales tax money from the sale of marijuana at his dispensary (The Silver Lizard) in order to commit theft of these same taxes from the Colorado Department of Revenue. The value of the sales tax stolen from the Department of Revenue by Mr. Cisneros and The Silver Lizard, LLC, totalled approximately \$16,000.00. In order to effectuate his scheme to evade taxes and pay over less sales tax than he collected, Mr. Cisneros, in his capacity as owner and high managerial agent of The Silver Lizard, filed false returns that underreported the sales tax collected by approximately half. Between April 20, 2012 and April 30, 2012, Valerie Lujan, a Department of Revenue employee acting in her official capacity, confronted Mr. Cisneros about The Silver Lizard's delinquent sales tax. During this confrontation, Mr. Cisneros engaged in deceit and provided false information to Ms. Lujan, with the intent to influence her decision, vote, opinion, or action concerning a matter which was to be considered or performed by Ms. Lujan as an employee of the Department of Revenue, or the Department of Revenue itself.

## **SUBSTANTIVE COUNTS**

### **COUNT THREE**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between August 1, 2009 and October 31, 2009, in the State of Colorado, **Tanner John Kimberlin** and **Corinne Nicole Kimberlin** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **COUNT FOUR**

Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between August 1, 2009 and October 31, 2009, in the State of Colorado, **Tanner John Kimberlin** and **Corinne Nicole Kimberlin** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **COUNT FIVE**

Money Laundering, §18-18-408(1)(a), C.R.S. (F-3)

On or about and between August 1, 2009 and October 31, 2009, in the State of Colorado, **Tanner John Kimberlin** and **Corinne Nicole Kimberlin** did unlawfully, feloniously, knowingly, or intentionally received or acquired proceeds, or engaged in transactions involving proceeds, which the defendants knew were derived from Distribution of Marijuana; in violation of §18-18-408(1)(a), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Three through Five were committed in the manner described following Predicate Acts One to Four.

### COUNT SIX

Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between December 1, 2009 and January 9, 2010, in the State of Colorado, **Jeremy Crawford and persons known to the Grand Jury** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §§18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### COUNT SEVEN

Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between December 1, 2009 and January 9, 2010, in the State of Colorado, **Jeremy Crawford and persons known to the Grand Jury** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Six and Seven were committed in the manner described following Predicate Acts Five through Seven

### COUNT EIGHT

Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4).

On or about and between January 10, 2010 and July 31, 2011, in the State of Colorado, **Jeremy Crawford, Austin Hunter, Nicholas Uchenick and an individual known to the Grand Jury** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### COUNT NINE

Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between January 10, 2010 and July 31, 2011, in the State of Colorado, **Jeremy Crawford, Austin Hunter, Nicholas Uchenick and an individual known to the Grand Jury** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Eight and Nine were committed in the manner described following Predicate Acts Eight through Ten.

#### COUNT TEN

Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between May 1, 2010 and June 1, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

#### COUNT ELEVEN

Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between May 1, 2010 and June 1, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Ten and Eleven were committed in the manner described following Predicate Acts Eleven through Thirteen.

#### COUNT TWELVE

Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between May 1, 2010 and June 1, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

#### COUNT THIRTEEN

Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between May 1, 2010 and June 1, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Twelve and Thirteen were committed in the manner described following Predicate Acts Fourteen through Sixteen.

#### **COUNT FOURTEEN**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between May 1, 2010 and August 10, 2011, in the State of Colorado, **Jeremy Crawford and Jack Jagla** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

#### **COUNT FIFTEEN**

Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between May 1, 2010 and August 10, 2011, in the State of Colorado, **Jeremy Crawford and Jack Jagla** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Fourteen and Fifteen were committed in the manner described following Predicate Acts Seventeen through Nineteen.

#### **COUNT SIXTEEN**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between June 1, 2010 and July 31, 2010, in the State of Colorado, **Jeremy Crawford and persons known to the Grand Jury**, unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

#### **COUNT SEVENTEEN**

Distribution of Marijuana, §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4)

On or about and between June 1, 2010 and July 31, 2010, in the State of Colorado, **Jeremy Crawford and persons known to the Grand Jury**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(8)(b)(I),(III)(A), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Sixteen and Seventeen were committed in the manner described following Predicate Acts Twenty through Twenty Two

### COUNT EIGHTEEN

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4)

On or about and between July 1, 2010 and November 30, 2011, in the State of Colorado, **Jeremy Scott Crawford and Drew Hickok** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### COUNT NINETEEN

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(B) C.R.S. (F4)

On or about and between July 1, 2010 and November 30, 2011, in the State of Colorado, **Jeremy Scott Crawford and Drew Hickok** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Eighteen and Nineteen were committed in the manner described following Predicate Acts Twenty Three through Twenty Five

### COUNT TWENTY

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between July 1, 2010 and October 31, 2010, in the State of Colorado, **Jeremy Scott Crawford, Austin Hunter and Michael Bazzone**, unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### COUNT TWENTY ONE

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between July 1, 2010 and October 31, 2010, in the State of Colorado, **Jeremy Scott Crawford, Austin Hunter and Michael Bazzone**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Twenty and Twenty One were committed in the manner described following Predicate Acts Twenty Six through Twenty Eight.

### COUNT TWENTY TWO

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between July 1, 2010 and October 1, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury**, unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### COUNT TWENTY THREE

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A) C.R.S. (F5)

On or about and between July 1, 2010 and October 1, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Twenty Two and Twenty Three were committed in the manner described following Predicate Acts Twenty Nine through Thirty One.

### COUNT TWENTY FOUR

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between October 1, 2010 and December 31, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury**, unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### COUNT TWENTY FIVE

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between October 1, 2010 and December 31, 2010, in the State of Colorado, **Jeremy Scott Crawford and persons known to the Grand Jury**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Twenty Four and Twenty Five were committed in the manner described following Predicate Acts Thirty Two through Thirty Four.

### COUNT TWENTY SIX

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between January 1, 2011 and February 28, 2011, in the State of Colorado, **Tanner John Kimberlin** and **Jeremy Scott Crawford** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### COUNT TWENTY SEVEN

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between January 1, 2011 and February 28, 2011, in the State of Colorado, **Tanner John Kimberlin** and **Jeremy Scott Crawford** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### COUNT TWENTY EIGHT

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between January 1, 2011 and February 28, 2011, in the State of Colorado, **David Schmidt**, **Michael Bazzone** and **Jeremy Scott Crawford** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### COUNT TWENTY NINE

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between January 1, 2011 and February 28, 2011, in the State of Colorado, **David Schmidt**, **Michael Bazzone** and **Jeremy Scott Crawford** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Twenty Six through Twenty Nine were committed in the manner described following Predicate Acts Thirty Five through Thirty Nine.

### COUNT THIRTY

Theft - \$20,000 Or More, §18-4-401(1),(2)(d), C.R.S. (F3)

On or about and between June 1, 2009 and August 31, 2009, in the State of Colorado, **Kyle Abt** unlawfully, feloniously, and knowingly obtained or exercised control over a thing of value, namely: money, with a value of more than twenty thousand dollars, without authorization, or by threat or deception, and intended to deprive W.R. Starkey, LLP, its successors and or assigns, permanently of its use or benefit; in violation of §18-4-401(1)(a),(2)(d), C.R.S. (F3), and against the peace and dignity of the People of the State of Colorado.

### COUNT THIRTY ONE

Forgery of Checks or Commercial Instruments, §18-5-102(1)(c), C.R.S. (F5) **1001C**

On or about and between June 1, 2009 and August 31, 2009, in the State of Colorado, **Kyle Abt**, with the intent to defraud W.R. Starkey, LLP, its successors and/or assigns unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: falsified documents used to obtain a home loan, including but not limited to closing documents, employment documents, earning statements and asset statements; in violation of §18-5-102(1)(c), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### COUNT THIRTY TWO

Cultivation of Marijuana, More than Thirty Plants §18-18-406(7.5)(c), C.R.S. (F4) **88033**

On or about and between December 1, 2009 and August 10, 2011 in the State of Colorado, **Kyle Abt and Jeremy Crawford** unlawfully, feloniously, and knowingly cultivated, grew, or produced marijuana plants, or allowed marijuana plants to be cultivated, grown, or produced on land owned, occupied, or controlled by the defendant. Further, the number of marijuana plants was thirty or more; in violation of §18-18-406(7.5)(c), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **COUNT THIRTY THREE**

Conspiracy to Distribute, or Possess with Intent to Manufacture or Distribute, Marijuana – Five to One Hundred Pounds, 18-18-406(6)(b)(I),(III)(B), C.R.S. (F4) **88052**

On or about and between December 1, 2009 and August 10, 2011, in the State of Colorado, **Kyle Abt and Jeremy Crawford** unlawfully, feloniously, and knowingly conspired with one another and with and person or persons known and unknown to the Grand Jury, to sell, distribute, or possess with intent to manufacture, sell or distribute marijuana. Further, the amount of marijuana was at least five pounds but not more than one hundred pounds; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **COUNT THIRTY FOUR**

Possession with Intent to Manufacture or Distribute Marijuana - Five to One Hundred Pounds, §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4) **88042**

On or about and between December 1, 2009 and August 10, 2011, in the State of Colorado, **Kyle Abt** unlawfully, feloniously, and knowingly possessed, or attempted to possess, with intent to manufacture, sell or distribute, marijuana. Further, the amount of marijuana was at least five pounds but not more than one hundred pounds; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **COUNT THIRTY FIVE**

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4)

On or about and between December 1, 2009 and August 10, 2011, in the State of Colorado, **Kyle Abt** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **COUNT THIRTY SIX**

Money Laundering, §18-18-408(1)(a), C.R.S. (F3)

On or about and between September 1, 2009 and August 31, 2011, in the State of Colorado, **Kyle Abt and Jeremy Crawford** did unlawfully, feloniously, knowingly, or intentionally received or acquired proceeds, or engaged in transactions involving proceeds, which the defendants knew were derived from the distribution of marijuana; in violation of §18-18-408(1)(a), C.R.S. (F3), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Thirty through Thirty Six were committed in the manner described following Predicate Acts Forty through Forty Seven.

**COUNT THIRTY SEVEN**

Evasion of Taxes Administered by the Colorado Department of Revenue, §39-21-118 (1), C.R.S. (F-5) 40021

On or about and between January 1, 2010 and April 18, 2011, in the State of Colorado, **Jeremy Crawford**, did unlawfully, feloniously and willfully attempt to evade and defeat a tax administered by the Colorado Department of Revenue, or a payment thereof namely, Colorado Income Tax, in violation of §39-21-118(1), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

**COUNT THIRTY EIGHT**

Filing a False Tax Return, §39-21-118(4), C.R.S. (F5) 40024

On or about October 14, 2011 in the State of Colorado, **Jeremy Crawford**, unlawfully, feloniously, and willfully made and subscribed returns, statements, or other documents, which contained or were verified by a written declaration that they were made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter; in violation of §39-21-118(4), C.R.S., (F5), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Thirty Seven and Thirty Eight were committed in the manner described following Predicate Acts Forty Nine and Fifty.

**COUNT THIRTY NINE**

Evasion of Taxes Administered by the Colorado Department of Revenue, C.R.S. §39-21-118 (1), (F5) 40021

On or about and between January 1, 2008 and March 31, 2011, in the State of Colorado, **Tanner John Kimberlin**, did unlawfully, feloniously and willfully attempt to evade and defeat a tax administered by the Colorado Department of Revenue, or a payment thereof namely, Colorado Income Tax in violation of §39-21-118(1), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

**COUNT FORTY**

Filing a False Tax Return, C.R.S. §39-21-118(4), (F5) 40024

On or about and between March 1, 2009 and March 31, 2011, in the State of Colorado, **Tanner John Kimberlin**, unlawfully, feloniously, and willfully made and subscribed returns, statements, or other documents, which contained or were verified by a

written declaration that they were made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter; in violation of §39-21-118(4), C.R.S., (F5), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Thirty Nine and Forty were committed in the manner described following Predicate Acts Fifty One and Fifty Two.

#### **COUNT FORTY ONE**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5)

On or about and between August 10, 2011 and December 31, 2011, in the State of Colorado, **Michael Bazzone and persons known to the Grand Jury**, unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

#### **COUNT FORTY TWO**

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(A) C.R.S. (F5)

On or about and between August 10, 2011 and December 31, 2011, in the State of Colorado, **Michael Bazzone and persons known to the Grand Jury**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(A), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Forty One and Forty Two were committed in the manner described following Predicate Acts Fifty Three through Fifty Five.

#### **COUNT FORTY THREE**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4)

On or about and between February 1, 2012 and April 12, 2012, in the State of Colorado, **David Schmidt and a person known to the Grand Jury** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### **COUNT FORTY FOUR**

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4)

On or about and between February 1, 2012 and April 12, 2012, in the State of Colorado, **David Schmidt** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Forty Three and Forty Four were committed in the manner described following Predicate Acts Fifty Six through Fifty Eight.

### **COUNT FORTY FIVE**

Special Offender – Source of Income, C.R.S. §18-18-407(1)(b), (SE) 33442

On or about and between December 1, 2009 and August 10, 2011, in the State of Colorado, **Kyle Abt** committed the felony offenses charged in counts 32, 33, 34 and 35 (THIRTY TWO, THIRTY THREE, THIRTY FOUR and THIRTY FIVE) as part of a pattern of manufacturing, sale, or distributing controlled substances, which constituted a substantial source of the defendant's income and in which the defendant manifested special skill or expertise; in violation of §18-18-407(1)(b), C.R.S. (SE), and against the peace and dignity of the People of the State of Colorado.

The offense alleged in Count Forty Five was committed in the manner described following Predicate Acts Forty through Forty Seven.

### **COUNT FORTY SIX**

Special Offender - Conspiracy – Pattern of Sale, C.R.S. §18-18-407(1)(c), (SE) 33443

On or about and between August 1, 2009 and February 28, 2011, in the State of Colorado, **Tanner Kimberlin** committed the felony offenses charged in counts 3, 4, 26, and 27 (THREE, FOUR, TWENTY SIX and TWENTY SEVEN) which were, or were in furtherance of, a conspiracy with one or more persons to engage in a pattern of manufacturing, sale, or distributing a controlled substance, and the defendant did, or agreed that defendant would initiate, organize, plan, finance, direct, manage, or supervise part or all of the conspiracy or manufacture, sale, or distributing in violation of §18-18-407(1)(c), C.R.S. (SE), and against the peace and dignity of the People of the State of Colorado.

The offense alleged in Count Forty Six was committed in the manner described following Predicate Acts One through Four and Predicate Acts Thirty Five through Thirty Nine.

### **COUNT FORTY SEVEN**

Special Offender - Conspiracy – Pattern of Sale, C.R.S. §18-18-407(1)(c), (SE) **33443**

On or about and between January 1, 2009 and April 12, 2012, in the State of Colorado, **Jeremy Scott Crawford** committed the felony offenses charged in counts 6 through 29, 32 and 33 (SIX through TWENTY NINE, THIRTY TWO and THIRTY THREE) which were, or were in furtherance of, a conspiracy with one or more persons to engage in a pattern of manufacturing, sale, or distributing a controlled substance, and the defendant did, or agreed that defendant would initiate, organize, plan, finance, direct, manage, or supervise part or all of the conspiracy or manufacture, sale, or distributing in violation of §18-18-407(1)(c), C.R.S. (SE), and against the peace and dignity of the People of the State of Colorado.

The offense alleged in Count Forty Seven was committed in the various manners described following and throughout Predicate Acts Five through Forty Nine.

### **COUNT FORTY EIGHT**

Special Offender - Conspiracy – Pattern of Sale, C.R.S. §18-18-407(1)(c), (SE) **33443**

On or about and between July 1, 2010 and November 30, 2011, in the State of Colorado, **Drew Hickok** committed the felony offenses charged in Counts 18 and 19 (EIGHTEEN and NINETEEN) which were, or were in furtherance of, a conspiracy with one or more persons to engage in a pattern of manufacturing, sale, or distributing a controlled substance, and the defendant did, or agreed that defendant would initiate, organize, plan, finance, direct, manage, or supervise part or all of the conspiracy or manufacture, sale, or distributing in violation of §18-18-407(1)(c), C.R.S. (SE), and against the peace and dignity of the People of the State of Colorado.

The offense alleged in Count Forty Eight was committed in the manner described following Predicate Acts Twenty Three through Twenty Five.

### **COUNT FORTY NINE**

Special Offender - Conspiracy – Pattern of Sale, C.R.S. §18-18-407(1)(c), (SE) **33443**

On or about and between January 10, 2010 and July 31, 2011, in the State of Colorado, **Nicholas Uchenick** committed the felony offenses charged in Counts 8 and 9 (EIGHT and NINE) which were, or were in furtherance of, a conspiracy with one or more persons to engage in a pattern of manufacturing, sale, or distributing a controlled substance, and the defendant did, or agreed that defendant would initiate, organize, plan, finance, direct,

manage, or supervise part or all of the conspiracy or manufacture, sale, or distributing in violation of §18-18-407(1)(c), C.R.S. (SE), and against the peace and dignity of the People of the State of Colorado.

The offense alleged in Count Forty Nine was committed in the manner described following Predicate Acts Eight through Ten.

### **COUNT FIFTY**

Special Offender - Conspiracy – Pattern of Sale, C.R.S. §18-18-407(1)(c), (SE) 33443

On or about and between July 1, 2010 and December 31, 2011, in the State of Colorado, **Michael Bazzone** committed the felony offenses charged in Counts 20, 21, 28, 29, 41 and 42 (TWENTY, TWENTY ONE, TWENTY EIGHT, TWENTY NINE, FORTY ONE and FORTY TWO) which were, or were in furtherance of, a conspiracy with one or more persons to engage in a pattern of manufacturing, sale, or distributing a controlled substance, and the defendant did, or agreed that defendant would initiate, organize, plan, finance, direct, manage, or supervise part or all of the conspiracy or manufacture, sale, or distributing in violation of §18-18-407(1)(c), C.R.S. (SE), and against the peace and dignity of the People of the State of Colorado.

The offense alleged in Count Fifty was committed in the manner described following Predicate Acts Twenty Six through Twenty Eight, Predicate Acts Thirty Five through Thirty Nine and Predicate Acts Fifty Two through Fifty Four.

### **COUNT FIFTY ONE**

Possession of Ketamine - 4 Grams or Less, C.R.S. 18-18-403.5(1),(2)(a)(I), (F6) 87011

On or about and between August 1, 2011 and August 31, 2011, in the State of Colorado, **Kyle Abt** unlawfully, feloniously, and knowingly possessed four grams or less of a material, compound, mixture, or preparation that contained Ketamine, a controlled substance; in violation of §18-18-403.5(1),(2)(a)(I), C.R.S. (F6), and against the peace and dignity of the People of the State of Colorado.

The offense alleged in Count Fifty One was committed in the following manner and in the State of Colorado:

On August 10, 2011 authorities executed a search warrant on Kyle Abt's house in Elbert County Colorado. In addition to finding the marijuana grow discussed above, law enforcement officers discovered that Mr. Abt was in the possession of ketamine. When confronted about his possession of a powdery substance in a bag, Mr. Abt admitted that it was his ketamine and he had used it to "party" with several women on a prior evening.

**COUNT FIFTY TWO**

Conspiracy to Commit Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4)

On or about and between January 1, 2012 and May 26, 2012, in the State of Colorado, **Leon Cisneros, The Silver Lizard, LLC, and persons known to the Grand Jury** unlawfully, feloniously, and knowingly conspired with each other, to sell or distribute marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

**COUNT FIFTY THREE**

Distribution of Marijuana, §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4)

On or about and between January 1, 2012 and May 26, 2012, in the State of Colorado, **Leon Cisneros and The Silver Lizard, LLC**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marijuana or marijuana concentrate; in violation of §18-18-406(6)(b)(I),(III)(B), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

**COUNT FIFTY FOUR**

Tax Violation - Failure to Collect/Pay Trust Tax, §39-21-118(2), C.R.S. (F5) **40022**

On or about and between March 20, 2011 and April 30, 2012, in the State of Colorado, **Leon Cisneros and The Silver Lizard, LLC**, who were required by law to collect, account for, or pay over a tax, unlawfully, feloniously, and willfully failed to collect or truthfully account for or pay over the tax; to wit: sales tax; in violation of §39-21-118(2), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

**COUNT FIFTY FIVE**

Filing a False Tax Return, §39-21-118(4), C.R.S. (F5) **40024**

On or about and between March 20, 2011 and April 30, 2012, in the State of Colorado, **Leon Cisneros and The Silver Lizard, LLC**, unlawfully, feloniously, and willfully made and subscribed a return, statement, or other document, which contained or was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter; in violation of §39-21-118(4), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### COUNT FIFTY SIX

Theft - \$1,000 - \$20,000, §18-4-401(1),(2)(c), C.R.S. (F4) **0801U**

On or about and between March 20, 2011 and April 30, 2012, in the State of Colorado, **Leon Cisneros and The Silver Lizard, LLC**, unlawfully, feloniously, and knowingly obtained or exercised control over a thing of value, namely: money of The Colorado Department of Revenue, with the value of one thousand dollars or more but less than twenty thousand dollars, without authorization, or by threat or deception, and intended to deprive The Colorado Department of Revenue permanently of its use or benefit; in violation of §18-4-401(1)(a),(2)(c), C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### COUNT FIFTY SEVEN

Attempt To Influence A Public Servant, §18-8-306, C.R.S. (F4) **24051**

On or about and between April 20, 2012 and April 30, 2012 in the State of Colorado **Leon Cisneros and The Silver Lizard, LLC**, unlawfully and feloniously attempted to influence Valerie Lujan, who is a public servant, by means of deceit, with the intent thereby to alter or affect the public servant's decision, vote, opinion, or action concerning a matter which was to be considered or performed by the public servant or the agency or body of which the public servant was a member; in violation of §18-8-306, C.R.S. (F4), and against the peace and dignity of the People of the State of Colorado.

### COUNT FIFTY EIGHT

Evasion of Taxes Administered by the Colorado Department of Revenue, C.R.S. §39-21-118 (1), (F-5) **40021**

On or about and between March 20, 2011 and April 30, 2012, in the State of Colorado, **Leon Cisneros and The Silver Lizard, LLC**, did unlawfully, feloniously and willfully attempt to evade and defeat a tax administered by the Colorado Department of Revenue, or a payment thereof namely, Colorado Sales Tax in violation of §39-21-118(1), C.R.S. (F5), and against the peace and dignity of the People of the State of Colorado.

### COUNT FIFTY NINE

Special Offender - Conspiracy – Pattern of Sale, C.R.S. §18-18-407(1)(c), (SE) **33443**

On or about and between January 1, 2012 and May 26, 2012, in the State of Colorado, **Leon Cisneros** committed the felony offenses charged in Counts 52 and 53 (FIFTY TWO and FIFTY THREE) which were, or were in furtherance of, a conspiracy with one or more persons to engage in a pattern of manufacturing, sale, or distributing a controlled substance, and the defendant did, or agreed that defendant would initiate, organize, plan, finance, direct, manage, or supervise part or all of the conspiracy or manufacture, sale, or distributing in

violation of §18-18-407(1)(c), C.R.S. (SE), and against the peace and dignity of the People of the State of Colorado.

The offenses alleged in Counts Fifty Two through Fifty Nine were committed in the manner described following Predicate Acts Fifty Eight through Sixty Five.

JOHN W. SUTHERS  
ATTORNEY GENERAL  
STATE OF COLORADO

A handwritten signature in black ink, appearing to read 'M. Melito', written over a horizontal line.

MICHAEL W. MELITO  
Senior Assistant Attorney General  
Criminal Justice Section  
Special Prosecution Unit