



Department of Justice

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District of North Dakota

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Two Men Receive Life Sentences for Role in Violent Drug Trafficking Organization with Ties to the Mexican Mafia

FARGO - United States Attorney Drew Wrigley announced that on October 23, 2007, United States District Court Judge Ralph R. Erickson sentenced **Alberto Chahia**, a/k/a Chingone, of Indio, California, and **Kelly Dean Overby** of Jamestown, North Dakota, to life in prison on drug trafficking charges. Both defendants must serve their entire life sentence and will not be eligible for parole.

On June 25, 2007, after a six-day jury trial, **Chahia**, 34, and **Overby**, 39, were each found guilty of conspiracy to possess methamphetamine with intent to distribute and conspiracy to distribute methamphetamine. **Chahia** was also found guilty of possession with intent to distribute methamphetamine and aiding and abetting. **Chahia** was a mid-level meth distributor and courier for the organization and **Overby** was a street-level meth dealer in Fargo and Jamestown, ND. The incidents occurred from January 2006 through March 2007 in the District of North Dakota.

The drug trafficking organization was responsible for transporting multiple pounds of methamphetamine from California to North Dakota for distribution. The investigation was initiated by the Fargo Police Department, who seized one pound of

methamphetamine and over \$20,000 cash in a vehicle in south Fargo. Further investigation revealed an unreported shooting in south Fargo related to this drug trafficking organization. Co-defendants Timothy Horn and Rene Enrique Zendejas have admitted their role in the drug trafficking organization and acknowledged being involved in shooting up the vehicle of Shawn Flaten in an effort to collect a drug debt. That incident took place on September 16, 2006.

Because the organization had ties to the Mexican Mafia in the Coachella Valley in California, this multi-jurisdictional investigation was facilitated by the United States Department of Justice's Gang Unit in Washington, D.C. The Gang Unit provides support and expertise to multi-district gang investigations. North Dakota United States Attorney Drew Wrigley praised the Gang Unit for their hard work in coordinating this investigation between North Dakota and California.

U.S. Attorney Wrigley said, "Multi-jurisdictional cases like this one have produced dramatic results around the United States as well as right here in North Dakota where federal drug trafficking prosecutions have increased 500% in the past five years."

Judge Erickson sentenced **Chahia** to . **Chahia** was ordered to pay restitution in the amount of \$ and to pay a \$ special assessment to the Crime Victim's Fund.

Overby was also sentenced to served the remainder of his life in federal prison. **Overby** was ordered to pay restitution in the amount of \$ and to pay a \$ special assessment to the Crime Victim's Fund.

“As can be seen by the sentences handed down in this case, the District of North Dakota has sent a strong message to those who continue to import drugs and the accompanying violence to North Dakota,” said Assistant United States Attorney Chris Myers. “These organizations keep sending in drug traffickers and we keep catching them.” Myers added, “As one cooperating defendant aptly put it, those guys are stupid to keep sending their product to North Dakota.”

The segment of the organization operating in North Dakota has been dismantled and the investigation in California continues. Eight additional defendants have been sentenced in the case thus far. Their names are: Timothy Charles Horn, sentenced to 25 years; Landon Wang, sentenced to 17 years; Daniel Smelzer, sentenced to 18 years; Jason Roy Horn, sentenced to 16.5 years; Chad Webber, sentenced to 22 years; Rendell Klein, sentenced to 3 years; Shawn Flaten, sentenced to 11 years; and Ruben Aaron Nieto a/k/a Goblin, sentenced to 17 years. Three additional defendants will be sentenced at a later date.

The case was investigated by a number of agencies, including the Fargo and Moorhead Police Departments; Drug Enforcement Administration; Bureau of Alcohol, Tobacco, Firearms, and Explosives; and U.S. Immigration and Customs Enforcement.

Assistant United States Attorney Chris Myers prosecuted the case.

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