

UNITED STATES DISTRICT COURT
for the
Western District of Missouri

United States of America
v.
CHRISTOPHER HOLMES
DOB: 09/12/1985
Defendant
Case No. 11-2068JCE-01

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.
On or about the date(s) of January, 2010 to March 14, 2011 in the county of Greene in the Western District of Missouri,
the defendant(s) violated :

Code Section 21 U.S.C. 846, 841(a)(1) and (b)(1)(A)
Offense Description See Attachment A

This criminal complaint is based on these facts:

See Attached Affidavit.

Continued on the attached sheet.

/s/ Daniel P. Banasik
Complainant's signature
Daniel P. Banasik, Drug Task Force Officer
Printed name and title

Sworn to before me and signed in my presence.

Date: Mar 14, 2011

/s/ James C. England
Judge's signature

City and state: Springfield, Missouri

James C. England, United States Magistrate Judge
Printed name and title

**ATTACHMENT A**

**CHARGE:**

On or between January, 2010 and March 14, 2011, in Greene County, in the Western District of Missouri, and elsewhere, Christopher Holmes, the defendant, did knowingly and intentionally conspire and agree with other persons known and unknown, to distribute in excess of 5 kilograms of cocaine, a Schedule II controlled substance, the distribution of which is a felony in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A); all in violation of Title 21, United States Code, Section 846.

**RANGE OF PUNISHMENT:**

21 U.S.C. § 846 and 841(a)(1) and (b)(1)(A)  
NLT 10 Years Imprisonment, NMT Life  
and/or \$4 million fine  
NLT 5 Years Supervised Release  
Class A Felony

\$100 Mandatory Special Assessment

**AFFIDAVIT**  
of  
**SGT. DANIEL P. BANASIK**  
*Missouri State Highway Patrol*  
**(Currently Assigned to DEA Drug Task Force)**

I, DANIEL P. BANASIK, being first duly sworn, do depose and state that:

1. I am a Sergeant with the Missouri State Highway Patrol (MSHP), currently deputized and assigned, as a Task Force Officer (TFO), to the Drug Enforcement Administration (DEA) Drug Task Force. As such, I am an investigative and law enforcement officer of the United States authorized to conduct investigations of, and to make arrests and seizures for, offenses enumerated in the "Controlled Substances Act," Title 21, United States Code.

2. Your affiant has been a sworn law enforcement officer for 23 years. I have received specialized training and attended numerous seminars presented by MSHP and DEA relating to the manufacture, distribution and/or possession with the intent to distribute controlled substances. From my training and field experience, I have extensive knowledge of complex illegal drug distribution and/or manufacturing organizations.

3. I, along with other members of the Drug Enforcement Administration's Springfield, Missouri Resident Office, the Missouri State Highway Patrol, and the Springfield, Missouri Police Department, have been investigating a multi-kilogram cocaine drug trafficking organization responsible for distributing cocaine HCL and cocaine base (crack cocaine) in the Springfield, Missouri area.

4. For at least the past two (2) years, the organization has been importing multi-kilogram shipments of cocaine from Chicago, Illinois and/or Dallas, Texas, on a monthly basis. The shipments average two (2) kilograms per trip. The cocaine is believed to be transported by vehicles, commercial bus lines, and commercial airlines. Once the cocaine arrives in Springfield, Missouri, the organization breaks it down, processes it, and then distributes it in multi-ounce to partial ounce quantities as either cocaine HCL or as cocaine base (crack cocaine). The leader of this organization was identified as Carlous HORTON. Christopher HOLMES has been identified as HORTON'S main distributor.

5. On July 6, 2010, Special Agents Mark Hooten and Tim Krisik interviewed a Source of Information, herein referred to as SOI #1, relative to the SOI #1's knowledge of Carlous HORTON'S drug trafficking organization. SOI #1 stated HORTON has approached SOI #1 in an attempt to have SOI #1

broker a multi-kilogram cocaine transaction with HERNANDEZ, a cocaine source of supply SOI #1 is familiar with. 6.

On October 13, 2010, Special Agent Mark A. Hooten and Task Force Officers Shane Gooden and Daniel P. Banasik interviewed a Source of Information who later became a Confidential Source, herein referred to as CS #1, concerning the Carlos HORTON Drug Trafficking Organization.

6. CS #1 stated HORTON is the largest cocaine dealer in the Springfield, Missouri area and he/she has been purchasing cocaine from HORTON's organization for approximately one year. The last transaction occurred on or about October 4, 2010, when CS #1 purchased a quarter ounce of cocaine directly from HORTON.

7. CS #1 estimates he/she has purchased, on average, one quarter ounce of cocaine daily from HORTON for the past ten (10) months. CS #1 stated it was not unusual to complete several transactions with HORTON in one day.

8. CS #1 stated he/she became involved with HORTON'S organization approximately one year ago when he/she began purchasing cocaine from an individual known only to CS #1 as "DONNIE." CS #1 later learned that "DONNIE" worked for someone known only to CS #1 as "CHRIS," later identified as Christopher HOLMES "CS #1 would contact HOLMES through

telephone number 773-580-3217. "DONNIE" introduced CS #1 to HOLMES when "DONNIE" was leaving town.

9. CS #1 began purchasing cocaine from HOLMES shortly after meeting him. CS #1 stated he/she purchased cocaine from HOLMES for approximately two (2) months before HOLMES introduced CS #1 to HORTON. CS #1 knew HORTON as "Cadillac." CS #1 stated he/she was introduced to HORTON because of the large quantities of cocaine CS #1 was purchasing from HOLMES and the fact that HOLMES was not always available. CS #1 stated he/she continued to purchase smaller amounts of cocaine from HOLMES even after being introduced to HORTON.

10. On October 18, 2010, CS #1, under the direction of Task Force Officer Banasik and Special Agent Hooten, purchased three-eighths ( $3/8^{\text{th}}$ ) of an ounce of cocaine from Carlous HORTON in Springfield, Missouri.

11. On October 19, 2010, CS #1, under the direction of Task Force Officer Banasik and Special Agent Hooten, purchased three-eighths ( $3/8^{\text{th}}$ ) of an ounce of cocaine from Carlous HORTON in Springfield, Missouri.

12. On October 26, 2010, CS #1, under the direction of Task Force Officer Daniel P. Banasik and Special Agent Mark A. Hooten, purchased one quarter ( $1/4$ ) ounce of cocaine from Carlous HORTON in Springfield, Missouri.

13. On November 5, 2010, CS #1 purchased one half ounce (1/2) of cocaine from Carlous HORTON in Springfield, Missouri.

14. On December 6, 2010, CS #1 attempted to purchase approximately one half ounce of cocaine from HORTON. HORTON directed CS #1 to contact Christopher HOLMES. CS #1 subsequently contacted HOLMES and purchased approximately one half ounce of cocaine.

15. On December 28, 2010, a court authorized Title III Wire Intercept was authorized to intercept the oral and electronic communications of HORTON'S cellular telephone. During the course of the Title III intercepted telephone calls and text messages intercepted indicated HORTON had traveled to Chicago on at least four occasions and purchased kilogram and multi-kilogram quantities of cocaine. During two of the trips to Chicago, it is believed from intercepted communications that HORTON obtained two kilogram amounts of cocaine during each of those trips (for a total of approximately 4 kilograms). During one of the trips, it is believed from intercepted communications, that HORTON obtained 43 ounces (1.2 kilograms) of cocaine. During the final trip, it is believed from intercepted communications that HORTON obtained one-half (1/2) kilogram of cocaine. Additionally, during other intercepted communications,

HORTON has made statements indicating that he typically distributes 2-3 kilograms of cocaine every 2-3 weeks.

16. Upon HORTON'S return to Springfield, Missouri the cocaine was reprocessed and distributed. The wire intercept revealed HORTON was distributing ounce quantities of cocaine/crack cocaine on a daily basis and on numerous days it was determined HORTON distributed in excess of ten ounces of cocaine/crack cocaine daily.

17. Numerous intercepted communications also revealed Christopher HOLMES to be one of HORTON'S main distributors. HORTON and HOLMES would discuss the distribution and processing of cocaine. Also, on numerous occasions intercepted communications would show HORTON redirecting individuals attempting to purchase cocaine/crack cocaine from him (HORTON) to HOLMES. During these occasions, HORTON would often call or send text messages to HOLMES informing him that an individual would be contacting HOLMES to purchase cocaine, and either vouching for the individual or indicating what the amount and price should be in the transaction.

18. Approximately two weeks ago HORTON was in Chicago, Illinois attempting to locate additional quantities of cocaine. HOLMES was also in Chicago at that time. Wire intercepts showed that HORTON was initially having



difficulty finding a source of supply. Through intercepted wire communications it was determined HOLMES was assisting HORTON in HORTON'S attempt to obtain kilogram quantities of cocaine by contacting potential sources known to HOLMES.

19. On March 14, 2011, a federal search warrant was executed at HORTON'S residence, 4788 S. Bellhurst, Springfield, Missouri. Seized pursuant to this warrant was approximately nine (9) ounces of cocaine, two handguns, and approximately thirty thousand dollars (\$30,000.00) U. S. currency.

20. On March 14, 2011, a federal search warrant was also executed on HORTON'S residence, 435 N. Greg Road, Nixa, Missouri. Seized pursuant to this warrant was approximately one and a half kilograms of cocaine.

21. On March 14, 2011, a federal search warrant was executed on Christopher HOLMES' residence. Seized pursuant to this warrant was approximately nine ounces of cocaine and a hand gun. Post-Miranda HOLMES admitted knowledge of the hand gun and indicated he had obtained the nine ounces of cocaine from Carlous HORTON earlier in the week.

22. Based upon my training and experience, the total amount of cocaine involved in this conspiracy represents a

distribution amount and is in excess of five kilograms of cocaine.

\_\_\_/s/ Daniel P. Banasik\_\_\_\_\_

**SGT. DANIEL P. BANASIK, MSHP**

(Currently assigned as a Task Force  
Officer to the DEA Drug Task Force)

Subscribed and sworn to before me in my presence on  
this 14th day of March, 2011.

\_\_\_/s/ James C. England\_\_\_\_\_

**JAMES C. ENGLAND**

United States Magistrate Judge