

NEWS

United States Department of Justice
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Browns Mills Man Sentenced to 78 Months in Federal Prison for Cocaine Distribution and Illegal Possession of a Firearm

(More)

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CAMDEN – A Browns Mills man was sentenced to 78 months in federal prison today on drugs and weapon charges, U.S. Attorney Christopher J. Christie announced.

U.S. District Judge Jerome B. Simandle also ordered Joshua D. Smires, 28, a.k.a. “John Reed,” to pay a \$3,000 fine and to serve four years of supervised release upon the completion of his prison term.

Smires pleaded guilty before Judge Simandle on Feb. 14, 2007, to a two-count Information, which charged him with one count each of conspiring to distribute cocaine and being a previously convicted felon in possession of a firearm.

On May 21, 2006, Smires, along with Roni Amaya-Fiallos, 33, who is an illegal alien originally from Honduras, Vincente Zuniga-Torres, 27, a.k.a. “Pretty Boy,” of New Brunswick, and Dulce Gomez-Morales, 27, of New Brunswick, were arrested on a criminal Complaint by Special Agents of U.S. Immigration and Customs Enforcement, the DEA, New Jersey State Police and the Burlington County Prosecutor’s Office. The charges resulted from a long-term cooperative investigation of methamphetamine and cocaine trafficking in Burlington County.

At his plea hearing, Smires admitted that in early 2006 he participated in the sale of cocaine in Burlington County. According to Smires, Zuniga-Torres and Amaya-Fiallos supplied cocaine to him. Smires admitted that on two occasions, in April and May of 2006, he purchased approximately 1,000 grams of cocaine from Amaya-Fiallos and Zuniga-Torres. Over the life of the conspiracy, Smires admitted he distributed and/or possessed with the intent to distribute at least 2,048 grams of cocaine. Smires also admitted that since he was a previously convicted felon, he illegally possessed a Taurus .45 caliber semiautomatic handgun on May 21, 2006.

Amaya-Fiallos pleaded guilty before Judge Simandle on Jan. 17, 2007, to a two-count Information, which charged him with one count each of conspiring to distribute methamphetamine and illegal trafficking in firearms. At his plea hearing, Amaya-Fiallos admitted that from October 2005 through May 2006, he and Zuniga-Torres were partners in a conspiracy to distribute methamphetamine and cocaine in the Burlington County area. Furthermore, Amaya-Fiallos admitted that sold a Kel-Tec Sub 2000, 9-millimeter firearm with a defaced serial number, an extra magazine and ammunition to the undercover officer in exchange for \$1,500. On July 5, 2007, Judge Simandle sentenced Amaya-Fiallos to 87 months in federal prison and ordered him to cooperate with U.S. Immigration and Customs Enforcement regarding deportation proceedings.

Zuniga-Torres and Gomez-Morales have each pleaded guilty to charges in connection with the investigation and are awaiting sentencing.

In determining the actual sentence, Judge Simandle consulted the advisory U.S. Sentencing Guidelines, which provide appropriate sentencing ranges that take into account the severity and characteristics of the offense, the defendant's criminal history, if any, and other factors. The judge, however, is not bound by those guidelines in determining a sentence.

Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all that time.

Christie credited Special Agents of U.S. Immigration and Customs Enforcement, under the direction of Special Agent in Charge Kyle Hutchins, in Newark; the DEA, under the direction of Special Agent in Charge Gerard P. McAleer, in Newark; Postal Inspectors with the U.S. Postal Inspection Service, under the direction of Inspector in Charge Thomas C. Van De Merlen; Investigators with the Burlington County Prosecutor's Office, under the direction of Prosecutor Robert D. Bernardi; and Troopers with the N.J. State Police, under the direction of Colonel Joseph R. Fuentes, Superintendent, with the investigation.

The Government is represented by Assistant U.S. Attorneys Deborah Prisinzano Mikkelsen and Jacqueline M. Carle of the Criminal Division in Camden.

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Defense Attorney: Kevin P. Meehan, Esq. Morristown