

# Department of Justice

United States Attorney William J. Hochul, Jr.  
Western District of New York

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## THREE INDIVIDUALS ARRESTED, CHARGED WITH SELLING SYNTHETIC MARIJUANA

ROCHESTER, N.Y.-- U.S. Attorney William J. Hochul, Jr. announced today that Joshua Denise, 37, of Batavia, N.Y., Michelle Condidorio, 30, of Batavia, N.Y., and Austin Szczur, 22 of Rochester, N.Y., were arrested and charged by Criminal Complaint with possession with intent to distribute and distribution of a controlled substance analogue. The charges carry a maximum penalty of 20 years in prison, a \$1,000,000 fine, or both. If the substances described below caused serious bodily injury, the punishment will be a mandatory minimum period of incarceration of 20, and a maximum period of life imprisonment.

Assistant U.S. Jennifer M. Noto, who is handling the case, stated that law enforcement agents and investigators from the Rochester Office of the Drug Enforcement Administration (DEA) and the New York State Police (NYSP) have been involved in an ongoing investigation of the illegal importation, manufacture and distribution of synthetic controlled substance analogues from various locations throughout Western New York and elsewhere. During the investigation, law enforcement determined that synthetic controlled substance analogues were being sold from several businesses known as **420 Emporium**. The **420 Emporium**, as noted on its public website, has five locations, three of which are in the Western District of New York: **420 Emporium – Rochester** (1475 East Henrietta Road, Rochester); **420 Emporium – Brockport** (14 Market Street, Brockport) and **420 Emporium – Batavia** (400 Ellicott Street, Batavia). The other two locations are in Fulton, New York and Syracuse, New York.

Members of the NYSP and the DEA participated in controlled purchases of synthetic controlled substance analogues utilizing undercover officers at each of the 420 Emporium locations. Condidorio and Denise sold synthetic controlled substance analogues to undercover officers on July 2, 2012 and July 16, 2012 respectively from the 420 Emporium in Batavia, while Szczur sold suspected synthetic substance analogues from the Rochester 420 Emporium location.

"Two points need to be made regarding this case," said U.S. Attorney Hochul. "First, the public's assistance in reporting their concerns to law enforcement, as well as the reporting of the serious health consequences in taking these substances, needs to be commended. In other words, if you see something, say something. Second, law enforcement is fully committed to prosecuting those responsible for introducing these dangerous substances into our community. In other words, once the public 'says something,' we for are part 'will do something' to include using all of the arrest and seizure powers provided by federal law."

The Criminal Complaint is the culmination of an investigation on the part of the Drug Enforcement Administration, under the direction of Wilbert L. Plummer, Acting Special Agent in Charge, New York Field Division and the New York State Police Community Narcotics Enforcement Team (CNET), under the direction of Major Wayne C. Olson.

The fact that a defendant has been charged with a crime is merely an accusation and the defendant is presumed innocent until and unless proven guilty.

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