



Department of Justice

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Northern District of New York

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MALONE, NEW YORK MAN SENTENCED TO 210 MONTHS IN JAIL ON MARIJUANA CONSPIRACY CHARGES

Andrew T. Baxter, United States Attorney for the Northern District of New York, John P. Gilbride, Special Agent in Charge, New York Field Division, and Derek P. Champagne, Franklin County District Attorney, announce the sentencing of DANNY THERIAULT, a/k/a "Vinny," age 36, of Malone, New York on drug charges. Theriault was sentenced on Friday, December 18, 2009, by United States District Judge Gary L. Sharpe to 210 months in federal prison following his conviction on one count of conspiracy to distribute and possess with intent to distribute over 100 kilograms (220 pounds) of marijuana. After he finishes serving his term of imprisonment, Theriault will be placed on supervised release for the remainder of his life.

On March 11, 2009, after a three-day jury trial, a federal jury convicted Danny Theriault and Jackaleen Theriault of the marijuana conspiracy charge contained in the indictment. The jury also returned a forfeiture verdict against Danny Theriault and Jackaleen Theriault which included a money judgment for \$1,540,000 against each of them, and a forfeiture of the approximately \$129,000 in cash, seized during the investigation.

On August 19, 2009, Judge Sharpe sentenced Jackaleen Theriault to a term of 97 months imprisonment, to be followed by a period of ten years of supervised release; a fine of \$15,000; and the forfeiture reflected in the jury's verdict. In sentencing Danny and Jackaleen Theriault, Judge Sharpe held that the amount of marijuana the mother and son trafficked during the conspiracy, and for which they were responsible, was more than 400 kilograms (880 pounds) but less than 700 kilograms (1540 pounds).

From January 2007 until April 2007, Danny Theriault, together with his mother, Jackaleen Theriault, a/k/a "Ma"; his brother, Denny Theriault; Joshua Spaulding; Jared Callahan; and others distributed large amounts of marijuana from the Malone, New York, area to buyers in the Albany area. During the trial, the government introduced over one hundred telephone calls from a court authorized wiretaps. The jury heard Danny and Jackaleen Theriault, in scores of calls, discussing their large-scale marijuana distribution network and individual marijuana transactions.

Over the course of the conspiracy, Danny and "Ma" Theriault used violence and threats of violence to maintain order within and outside of the conspiracy. Evidence at trial included testimony from Callahan that Danny Theriault severely beat his younger brother Denny for Denny's "loss" of marijuana proceeds after a law enforcement search of the vehicle Denny was driving uncovered \$104,900 concealed in a hidden compartment inside the tailgate door of the vehicle. Callahan testified that he had paid the money to Denny Theriault and Joshua Spaulding,

as payment for a delivery of 44 pounds of marijuana in a deal coordinated and overseen by Danny Theriault, or "Vinny."

The jury also heard Danny Theriault recount numerous stories about his beating and listened to him threaten to injure or kill those whom he believed owed him drug debts or had otherwise upset him. Callahan testified at trial that the end of his involvement in the conspiracy came when he stole, or "ripped," thirteen pounds of marijuana, valued at approximately \$30,000, from "Ma." Callahan further testified that later that night the car he had driven to meet "Ma" was vandalized and set on fire. The jury heard the recorded calls in which Danny Theriault claimed his mother had set Callahan's car ablaze, and they heard other calls in which Danny threatened to murder Callahan if and when he found him. In one call, the jury heard Danny offer a \$5,000 customized ATV as a reward for information concerning Callahan's whereabouts.

Others charged in the federal indictment previously pled guilty and have been sentenced by Judge Sharpe. On March 19, 2008, Joshua Spaulding was sentenced to 84 months imprisonment, to be followed by four years supervised release. On May 19, 2009, Jared Callahan received a sentence of 63 months imprisonment, followed by eight years supervised release. On July 20, 2009, Denny Theriault was sentenced to a term of time served (4 days) and five years supervised release.

This prosecution resulted from a long term, intensive investigation undertaken by the New York State Police Narcotics Unit, Gun Unit, and Mobile Response Team; Drug Enforcement Administration; Franklin County District Attorney's Office; United States Border Patrol; Immigration & Customs Enforcement; Malone Village Police; Massena Village Police; Plattsburgh City Police; Clinton County Sheriff's Department; and St. Regis Mohawk Tribal Police.

The federal case was prosecuted by Assistant United States Attorney Carl G. Eurenus. Further inquiries can be directed to Mr. Eurenus at 315-448-0672. The state wiretap investigation was led by Franklin County District Attorney Derek P. Champagne. Further inquiries can be directed to Mr. Champagne at 518-481-1545.

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