

Department of Justice

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BUFFALO MAN PLEADS GUILTY TO DRUG CONSPIRACY AND MONEY LAUNDERING CHARGES

BUFFALO, N.Y.--U.S. Attorney William J. Hochul, Jr. announced today that Derek Frank, 31, of Buffalo, N.Y., pleaded guilty before U.S. District Judge Richard J. Arcara to conspiracy to distribute 100 kilograms or more of marijuana, and money laundering conspiracy. The charges carry a maximum penalty of 60 years in prison, a \$5,500,000 fine, or both.

U. S. Attorney Hochul stated: "This case is a textbook example of extraordinary teamwork between multiple agencies and federal prosecutors. It should also serve as a reminder of the invidious dangers of illegal drug use. The hundreds of pounds of dangerous substances brought into this area by the defendant no doubt harmed the health of many of our residents. Beyond those obviously serious consequences, a number of public officials were compromised, potentially causing unforeseen aftereffects in multiple areas of our society."

Further, NFTA Chief of Police George Gast stated: "This case represents an excellent example of inter-agency cooperation. There are situations when during an investigation it becomes apparent the preferred course of action for a local Law Enforcement Agency is to refer prosecution to the U.S. Attorney's Office. This case is a perfect example of the close working relationship between local and federal Law Enforcement partners within Western New York."

Assistant U.S. Attorney Mary Catherine Baumgarten, who handled the case, stated that between February 2008 and February 2011, the defendant traveled from Buffalo to Arizona to purchase marijuana. Frank then shipped the marijuana to various addresses in Buffalo, N.Y., or had individuals transport it in a concealed compartment in a pickup truck from Arizona to Buffalo. When the defendant remained in Arizona for longer periods of time, he arranged for other individuals in Buffalo to deposit the proceeds from his marijuana distribution into his bank account in Buffalo. Frank

thereafter withdrew those funds from his account at a bank branch in Arizona, and used the funds to purchase more marijuana.

In furtherance of his drug related activities, Frank arranged to have Tinisha Tucker Anthony, a former US Airways employee, and Regina McCullen, a former employee in the City of Buffalo Clerk's Office, assist him in flying between Buffalo and Arizona. Tinisha Tucker Anthony arranged for a birth certificate card to be issued by the City of Buffalo which contained the fingerprints and photograph of Derek Frank, and the name of another person, namely her stepson. In addition, Anthony used her position as a customer service representative for U.S. Airways at the Raleigh-Durham Airport to arrange for Derek Frank to fly between Buffalo and Arizona, using the birth certificate card in the name of a her stepson. Regina McCullen used her official position as a Customer Assistant in the Clerk's Office to illegally produce the birth certificate card.

The defendant also arranged to have Minnetta Walker, a Behavioral Detection Officer employed by the Department of Homeland Security, Transportation Security Administration (TSA), assist him in drug-trafficking. Walker assisted Frank in bypassing the normal security procedures, measures, and requirements at the Buffalo Niagara International Airport, including the functions performed by a TSA screener or Ticket Document Checker to examine persons, property and other articles entering aircraft and the airport area at the BNIA TSA is an agency responsible for ensuring passenger safety and national security as it relates to the country's air transportation system.

Minetta Walker pleaded guilty to conspiracy to defraud the United States and was sentenced to 24 months in prison in January 2012. Tinisha Tucker-Anthony and Regina McCullen each pleaded guilty to conspiracy to commit fraud in connection with identification documents. Anthony is awaiting sentencing in March 2012, and McCullen was sentenced to two years probation in December 2011.

The plea is part of an ongoing investigation by Special Agents of the Federal Bureau of Investigation, under the direction of Special Agent in Charge Christopher M. Piehota; Transportation Safety Administration, U.S. Department of Homeland Security, under the direction of Federal Security Director, Derek DePietro; U.S. Immigration and Customs Enforcement, under the direction of James C. Spero; U.S. Drug Enforcement Administration, under the direction of Wilbert L. Plummer, Acting Special Agent in Charge, New York Field Division; and NFTA Transit Police, under the direction of Chief George Gast.

Sentencing is scheduled for June 1, 2012 at 12:30 p.m. before Judge Arcara.

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