

Department of Justice

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Western District of New York

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NIAGARA FALLS MAN PLEADS GUILTY TO CONSPIRING TO DISTRIBUTE CRACK

BUFFALO, N.Y.-- U.S. Attorney William J. Hochul, Jr. announced today that John Smith, III, 28, of Niagara Falls, N.Y., pleaded guilty to conspiracy to possess with intent to distribute, and distribute, crack cocaine before Chief U.S. District Court Judge William M. Skretny. The charge carries a mandatory minimum penalty of five years in prison, a maximum of 40 years, a fine of \$2,000,000 or both.

Assistant U.S. Attorney Robert C. Moscatti, who handled this portion of the case, stated that Smith conspired with other individuals to distribute crack cocaine in and around the Niagara Falls area beginning in early 2008 through March 2009. The Government's evidence included sales of drugs, and the seizure of 66 grams of crack cocaine as the result of a search warrant executed at 1151 Garden Avenue, Niagara Falls, N.Y.

On March 12, 2009, Smith and 22 other individuals were arrested as part of a coordinated federal, state and local investigation. The investigation centered upon gang and drug-related activity in Niagara Falls, New York. To date, 20 persons have been convicted.

"We have said on many occasions that this Office is committed to ridding our streets of gangs and the violence they frequently commit," said U.S. Attorney Hochul. "By working with the public and our law enforcement partners at all levels of government, we will ensure that our neighborhoods are places of peace, not drugs and violence."

The plea is the result of an investigation the part of the Bureau of Alcohol, Tobacco, Firearms and Explosives, under the direction of Special Agent in Charge Frank Christiano; the Drug Enforcement Administration, under the direction of Wilbert L. Plummer, Acting Special Agent in Charge, New York Field Division, the New York State Police, under the

direction of Major Christopher Cummings; the Niagara Falls Police Department, under the direction of Superintendent John Chella; and the Niagara County District Attorney's Office, under the direction of District Attorney Michael Violante.

Sentencing is scheduled for August 15, 2012 at 9:00 a.m. before Judge Skretny.

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