

# UNITED STATES DISTRICT COURT

for the  
District of Oregon

United States of America )

v. )

ROBERT DUNHAM HISAMOTO, CHARLES )  
LESTER READER, MADELINE LAFERN READER, )  
GARY CHRIS FIGUEIRA )

Case No. )  
)  
)  
)  
)  
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\_\_\_\_\_  
*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 2011 in the county of Jackson in the  
       District of Oregon, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 United States Code, Sections 841(a)(1) and (b)(1)(B)(vii),	Unlawfully and knowingly manufacture, distribute, or possess with intent to distribute 100 or more marijuana plants and/or 100 kilograms of marijuana, a Schedule I Controlled Substance, and
21 United States Code, Section 846	Conspire with others to do the same.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT OF DEA SPECIAL AGENT RONALD S. WRIGHT

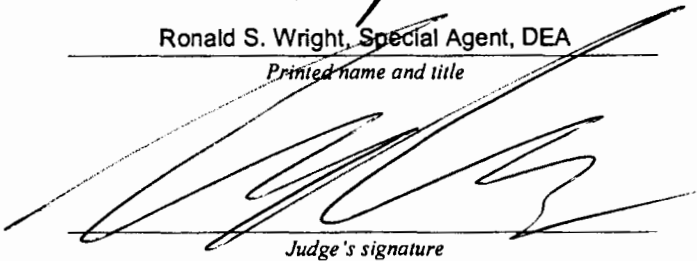
Continued on the attached sheet.

  
\_\_\_\_\_  
*Complainant's signature*

Ronald S. Wright, Special Agent, DEA  
\_\_\_\_\_  
*Printed name and title*

Sworn to before me and signed in my presence.

Date: 5/29/12

  
\_\_\_\_\_  
*Judge's signature*

City and state: Medford, Oregon

Mark D. Clarke, U.S. Magistrate Judge  
\_\_\_\_\_  
*Printed name and title*

STATE OF OREGON            )                   AFFIDAVIT OF RONALD S. WRIGHT  
  ) ss                IN SUPPORT OF A CRIMINAL COMPLAINT  
COUNTY OF JACKSON        )

I, Ronald S. Wright, first being duly sworn, depose and state:

This affidavit is made in support of a complaint and arrest warrants for:

- 1. Robert D. HISAMOTO        DOB: ##-##-70
- 2. Charles L. READER         DOB: ##-##-60
- 3. Madeline L. READER        DOB: ##-##-71
- 4. Gary C. FIGUEIRA          DOB: ##-##-79

There is probable cause to believe that the above-listed subjects, and others known and yet unknown, have committed the offenses of manufacture, distribution, possession with intent to distribute a controlled substance, marihuana, and conspiracy to commit the same, in violation of Title 21, United States Code, Section 841(a)(1) and 846.

BACKGROUND

1. I am a Special Agent with the United States Department of Justice, Drug Enforcement Administration (DEA), and have been so employed since April, 1983. I am currently assigned to the Medford Resident Office and have been so assigned since January of 1998. I have personally been involved in and participated in undercover operations and investigations relating to trafficking in marijuana, methamphetamine, cocaine, heroin, ecstasy and other drugs.

2. As a Special Agent of the DEA, I am charged with the duty of enforcing the Controlled Substances Act (Title 21, United States Code). I have personally conducted or assisted in hundreds of narcotics investigations. I graduated from DEA's Basic Agent Academy

and I have completed numerous in-service trainings/classes in the narcotics and other criminal investigations, including specific training in indoor and outdoor marijuana grow operations. I have been involved in the investigation and writing and execution of numerous indoor and outdoor marijuana grow search warrants. I have experience in the area of undercover work and have written, executed and assisted in the execution of numerous other drug-related search warrants in the past.

3. By virtue of my employment as a DEA Special Agent, I have performed various tasks, which include, but are not limited to: functioning as a surveillance agent, and thereby observing and recording movements of persons trafficking in drugs, and those suspected of trafficking in drugs; and interviewing witnesses and informants relative to the illegal drug trafficking and distribution of monies and assets derived from the illegal drug trafficking.

4. I have investigated over 50 marijuana grow sites in Southern Oregon operated under the guise of the Oregon Medical Marijuana Program (OMMP). Several of these cases involved marijuana that was grown, packaged, and sold for profit under the guise of OMMP. OMMP limits a registered grower to 6 mature (12" or taller) marijuana plants per patient and produce marijuana for up to 4 patients, allowing 24 mature plants per grower.<sup>1</sup> There is no limit to the number of growers allowed at a particular site. However, all the marijuana produced belongs to the patient, and the grower, caregiver, and patient may collectively possess only 1.5 pounds of "usable marijuana" (dried flowers and leaves) per patient. From our interviews of dozens of

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<sup>1</sup> The Federal Controlled Substances Act makes no exception for the Oregon Medical Marijuana Act. Cultivation or distribution of marijuana – for any purpose, and even if undertaken in compliance with the OMMP, violates federal law and is a federal felony. In fact, the OMMP "Registry Identification Card" issued to the grower and patient specifically states that "The (state) Act neither protects marijuana users from seizures nor individuals from prosecution if the federal government chooses to take action against patients, caregivers, or growers under the federal Controlled Substances Act."

OMMP patients, caregivers, and growers, and in consulting with state and local law enforcement officers who have interviewed hundreds more, I know that OMMP patients generally receive 1.5 pounds of marijuana bud at the end of the outdoor grow season, and this amount is sufficient to satisfy their medical needs for a year.

5. Since the advent of OMMP, marijuana growers in Southern Oregon have developed the ability to grow huge marijuana plants outdoors and in green houses, ranging from 6-10 feet tall and 6-10 feet in diameter. These plants are so large that growers often encircle the plants with plastic or wire netting, or some other rigid framework, for support. Growers fertilize and trim the plants for maximum marijuana bud production. While the marijuana bud (flower) is clearly the most valuable part of the plant, growers also keep the leaves trimmed from the plant to make marijuana extracts, oils, and other products containing marijuana. These plants are usually ready for harvest beginning late September through October. Southern Oregon OMMP growers apprehended within the last year for unlawfully manufacturing and distributing marijuana under the guise of OMMP have admitted that such plants yield anywhere from 2 to 8 pounds or more of marijuana bud per plant. This results in 12 to 48 pounds of marijuana bud per patient (6 plants per patient), well in excess of OMMP's 1.5 pound limit. Apprehended OMMP growers, as well as persons who distribute marijuana for OMMP growers, also indicate that the excess marijuana is sold locally for \$1,800-\$2,200 per pound wholesale, and is sold in the Midwest and East Coast for \$3,400-\$5,200 per pound. Marijuana is a Schedule I Controlled Substance under the Federal Controlled Substances Act.

## INVESTIGATION

6. On August 17, 2011 and on September 22, 2011, while conducting aerial surveillance in Jackson County, Oregon, I observed and photographed approximately 198 marijuana plants growing on the property at 6530 Tolo Road, Central Point, Oregon. Property records show that Robert HISAMOTO, DOB: ##-##-##70 and Louisa HISAMOTO, DOB: ##-##-##44 purchased this property on March 29, 2010, for \$200,000. (Louisa HISAMOTO resided in Fairbanks, Alaska.) Property records, DMV records, and utility records showed that Robert HISAMOTO also owned and resided at 704 Elkader Street, Ashland, Jackson County, Oregon.

7. On October 12, 2011, I again conducted aerial surveillance of 6530 Tolo Road, Central Point, Oregon. At that time, there were approximately 70 marijuana plants in the grow site; it appeared the other plants had been harvested. On October 19, 2011, a check with OMMP determined that 6530 Tolo Road, Central Point, OR was a grow site for 28 patients (allowing for up to 168 mature marijuana plants), and Robert HISAMOTO was an OMMP patient and caregiver for 30 patients. He was not an OMMP registered grower. Furthermore, 704 Elkader Street, Ashland, Oregon was not a current OMMP-authorized grow site.

8. On October 20, 2011, Federal search warrants were executed at three properties associated with Robert D. HISAMOTO: 6530 Tolo Road, Central Point, OR; 704 Elkader Street, Ashland, OR; and 409 N. Riverside Ave., Medford, OR (the location of HISAMOTO's business, Samurai Fighting Arts, a martial arts studio).

### **Search Warrant Execution at 6530 Tolo Road, Central Point, OR**

9. Upon executing the search warrant at 6530 Tolo Road, four adults and one juvenile were present at the residence: Charles "Charlie" L. READER, DOB: ##-##-##60; Madeline

“Mandy” L. READER , DOB: ##-##-##71; Elizabeth READER, DOB: ##-##-##92; Gary C. FIGUEIRA, DOB: ##-##-##79; and a male juvenile, who was subsequently released to his grandfather, Wayne READER. Elizabeth READER and the male juvenile were the children of Charles and Madeline READER. The outdoor marijuana grow site at the residence was divided into two adjoining sections. There were 7 marijuana plants seized from the lower section and 9 marijuana plants seized from the upper section. Agents observed that there were holes/rings in the grow site which indicated the location of the remainder of the marijuana plants that had been harvested. Agents counted 181 rings (89 rings in the upper section and 92 rings in the lower portion of the grow site), showing that the grow site accommodated a total of 197 marijuana plants. Also in the lower portion of the grow site were five empty greenhouses. This grow site was the same that I observed from the air on August 17<sup>th</sup> and September 22, 2011, and at which time contained approximately 198 growing marijuana plants. Federal agents dried and processed one of the remaining marijuana plants, which had been partially harvested as evidenced by cut stems. This partially harvested plant yielded 3.80 pounds of marijuana bud and 3.14 pounds of marijuana shake (6.94 pounds total).

10. OMMP registration paperwork for 31 patients was posted on display posts at the grow site, 27 of which listed Robert HISAMOTO as their “caregiver.” Also posted were rental/lease agreements naming Robert HISAMOTO as the landlord. One agreement named “Raymond PRESTON” as tenant, for rental of a portion of the land and the barn at 6530 Tolo Rd, effective 4-1-2011 until 12-1-2011. The other agreement named Charles READER as tenant, for the rental of a portion of the land at 6530 Tolo Road, also effective date of 4-1-2011 until 12-1-2011. Raymond PRESTON and Charles READER were listed “growers” for four “patients” each on the OMMP paperwork seized from the display posts.

11. A barn on the property contained approximately 48 drying racks for marijuana. A small quantity of marijuana (1.78 pounds net/dry weight) was seized from the racks. Also in the barn were multiple postings of a document entitled, "Trim Rules," which included:

- *No new outsiders*
- *No back packs or containers only your work clothes or naked!!!!!!*
- *When leaving trim room Charlie or Mandy will inspect/pat down to make sure everyone is staying honest.*
- *No drinking, showing up drunk, or peeing in chairs.*
- *Whatever Charlie says is final.*
- *Smoke only what you bring yourself.*
- *Label all bags Charlie will weigh them and get them to caregiver/card holders as needed.*
- *Get along with everyone, no complaining or bitching.*
- *No one other than authorized personnel in trim room. Must be approved by Charlie ahead of time.*
- *No one can come pick you up unless authorized by Charlie or you can be dropped off at Tolo Tavern and be picked up there by whomever.*
- *No one in the trim room trimming unless they are a card holder, (patient), care giver or grower.*
- *Work with a sence of urgency each person trims 2 bags each day.*

12. Also seized from the barn were W-2 Wage and Tax Statements for Charles READER and Madeline READER, a vehicle Bill of Sale listing Madeline READER as the buyer, as well as a cell phone bill dated 3/08/09, in the name of Robert HISAMOTO. On the floor of the barn were several hundred paper grocery bags labeled "Winco Foods," many in an unused, original condition. Near the barn was a large pile of harvested and discarded marijuana stalks and stems.

13. The residence at 6530 Tolo Road contained 90 marijuana plants growing underneath lights in pots in the garage area. Various quantities of dried/processed marijuana were seized from the master bedroom (Charles and Madeline READER's bedroom), garage, back deck, hall closet and kitchen areas. Also seized from the garage was a "Trim Pro" (Twister) hi-speed marijuana processing machine, with an attached bag containing marijuana plant material. A

locked safe (key provided by Charles READER) in the master bedroom contained a Hi Point .380 cal. semi-auto pistol, s/n P803325, loaded with six rounds of ammunition. The living room and master bedroom contained numerous current and expired OMMP documents, including applications and permits, many of which related to the OMMP paperwork posted at the grow site (same grower, caregiver and patient names and addresses). A GMC pick-up truck parked at the residence, registered to Robert HISAMOTO, 704 Elkader Street, Ashland, OR, contained a small amount of marijuana and weighing scales.

14. During the search warrant execution, I interviewed Charles READER. READER said he had lived at the Tolo Road address almost two years and paid HISAMOTO half the monthly mortgage as his rent (\$700 per month). READER said HISAMOTO has never lived there, but comes out to Tolo Road to visit and was last there a couple of days ago. READER said he was currently unemployed and receives unemployment compensation. READER said he was an OMMP-authorized grower for four patients and was himself a patient. READER did not know who his patients were, and did not want to comment on how he obtained his patients. READER grew six plants for each patient but has not given any marijuana to his patients; they receive their marijuana from the caregiver. READER said he is not involved in giving any marijuana to the caregivers; he just grows marijuana. At harvest time, he just lets people know it is ready. READER said he does not know where the marijuana is taken to dry and did not know anything about the marijuana found by agents at HISAMOTO's Elkader Street house in Ashland. At harvest time, he just does not get involved in the "rest." He does not know what happens to the bud or the "shake," and is just a grower. He also does not know who gets ahold of the patients for them to receive their share of marijuana. READER said he is not really paid to grow marijuana, but he sometimes gets his rent reduced. Some months he did not have to pay any rent



at all. READER said he mainly grew marijuana for the patients, that he did not sell marijuana, and he did not know who sold marijuana. As a patient, READER smokes and makes edibles out of the marijuana. He occasionally uses it for back pain, and maybe uses about one ounce per month. READER reiterated he really did not know what happens to the marijuana once it leaves the Tolo Road property.

15. During the execution of the search warrant, I interviewed Gary FIGUEIRA. FIGUEIRA said he was a friend of the READER's and had worked as an instructor at HISAMOTO's Samurai Fighting Arts school. He had lived at the Tolo Road address on and off over the past year, and was gone six months and then came back. FIGUEIRA stated he was an OMMP-authorized grower and a patient, that he grew for three patients, but did not know who the other patients were. FIGUEIRA thought he had 12 plants in the Tolo Road grow site and that he harvested his own plants. FIGUEIRA put the harvested plants "through the machine" (Twister plant stripper). He was not sure how much marijuana came off of the plants. He just ran the machine, and the last he knew, his marijuana was in the barn (drying) on the property. FIGUEIRA said "they" really don't let him know anything, and that there were a few different people working there (in the marijuana grow). FIGUEIRA never weighed his marijuana out, and again said that the last he knew, it was in the barn drying, and that someone else took it from him. FIGUEIRA said he needed a place to stay and was not being charged rent. FIGUEIRA's plan was to give his marijuana to the patients (one and a half pounds each). FIGUEIRA was told that when his marijuana was dry, he would be able to call his patients, and that he would not charge his patients or ask for donations. FIGUEIRA smokes marijuana and uses at most an ounce per month. FIGUEIRA helped plant the marijuana, put some of the dirt in around the plants, and did a lot of the watering for all of the plants in the grow site. FIGUEIRA used to live

at HISAMOTO's house on Elkader Street in Ashland and had been there on and off "throughout the years." FIGUEIRA said HISAMOTO never comes around the Tolo Road property and he just stays at the karate school (in Medford) and at his house (in Ashland). FIGUEIRA said he did not know how many growers were assigned to the (Tolo Road) grow site, but that the READER family members were growers as were several others. FIGUEIRA said (as a "patient") he had not received his pound and a half of marijuana yet .

16. During the search warrant execution, I interviewed Madeline "Mandy" READER. Mandy said that she was an OMMP-authorized grower for four patients at the Tolo Road grow site. Mandy was also a patient, made lotions with the marijuana, and did not smoke it. Mandy said she uses the leaves ("shake") to make the lotions. Mandy said she could not "come up" her patients' names, other than herself. Madeline lived at the Tolo Road address since about April 2010, and was employed as a secretary at HISAMOTO's dojo (martial arts school) since 2007. She helps to set up the cage fights. HISAMOTO has never lived at the Tolo Road address. Mandy declined to make any further statement. Madeline READER has a 2004 felony conviction for Delivery of a Controlled Substance, Methamphetamine in the Jackson County Circuit Court.

### **Search Warrant Execution at 704 Elkader Street, Ashland, OR**

17. On October 20, 2011, federal agents also executed a search warrant at HISAMOTO's residence, 704 Elkader Street, Ashland, OR. Robert HISAMOTO, DOB: ##-##-70, Aldora J. SHAPARNIS, DOB: ##-##-56, and Derek HINGER, DOB: ##-##-86, were present at the residence. The agents also determined that a Robert WILSON, DOB: ##-##-90, Frankie PARKER, DOB: ##-##-78, and a Jeremy LOVE, DOB: ##-##-84, were staying at the residence

but were not present at the time of the search. The attached garage (which was not accessible from the interior of the house) contained several drying racks full of marijuana bud, with an additional large quantity of marijuana in “WinCo Foods” paper grocery bags. This marijuana was subsequently dried and weighed by agents, yielding approximately 98 pounds of trimmed marijuana bud. The garage also contained several large plastic garbage bags containing 112 pounds of packaged marijuana bud, 17 pounds of marijuana shake in paper bags, and 5 pounds of marijuana bud in glass jars found in a safe. The total dried weight of all the marijuana seized was approximately 233.83 pounds--215.89 pounds of marijuana bud and 17.94 pounds of marijuana shake. HISAMOTO is an OMMP caregiver for 30 patients, which would allow him to possess a maximum 45 pounds of marijuana.

18. The garage area also contained numerous used “WinCo Foods” paper grocery bags, most with marijuana residue on them. Most of the bags were labeled with names of various marijuana strains, and many had dates printed on the bags. This same type of “WinCo Foods” paper grocery bags were observed on the barn floor at 6530 Tolo Road during the search warrant execution there. The garage also contained a piece of tape attached to the ceiling labeled “Grower #1 Robert HISAMOTO,” and multiple pieces of cardboard or paper listing marijuana strains (e.g., Thai Skunk, Power Kush, Holland’s Hope), with adjacent columns of apparent pound weights, with totals of “13.25 p,” “18.5,” and “39.5.”

19. HISAMOTO’s cell phone (541-890-8748), located in his bedroom, contained multiple photos of marijuana plants, including what appear to be plants growing at the 6530 Tolo Road grow site. One photo depicts HISAMOTO posing in front of a very large marijuana plant. Also seized from HISAMOTO’s bedroom were a Ruger 10-22 rifle, a Sig Sauer P228 handgun, a Beretta 21 handgun, and ammunition.

20. HISAMOTO's Lincoln Navigator (OR license #UCFC) was parked in the driveway and contained OMMP papers and several handwritten pages regarding the setting up/development of a marijuana grow site, the maximizing of the yield of marijuana plants, prices of pounds of marijuana, etc. For instance, one document depicts drawings of three different plants, with apparent yields listed under each plant of 1.5 pounds, 3 pounds, and 6 pounds. Another page entitled "Project Black Briar" contains an apparent drawing of the marijuana grow site at 6530 Tolo Road. The drawing shows the grow site divided into two sections, with "99" (apparent marijuana plants) listed on each section. The drawing also lists the "growers" for each section, which include "Charlie" (believed to be Charles READER), "Mandy" (Madeline READER), "Wayne" (Wayne READER), "Liz" (Elizabeth READER), and "Gary" (Gary FIGUEIRA). Another apparent "To Do" list includes such tasks as "Fence in Middle," "Cut trees down with Charlie," "Reinforce fence by field," and "Build green houses." Another document shows five columns of about 19 or 20 names of various strains of marijuana plants in each column, indicating what was planted in one of the two sections at the grow site at Tolo Road. Another document entitled "August Security" shows an apparent grow site security schedule, with times and names. At the bottom of the sheet appears, "Charlie 'Full Time.'" Another document contains two columns listing various marijuana strains with apparent ounce weights appearing next to the strain names, and dates in January through April, 2011. At the bottom of the sheet there are apparent totals of the weights and dollar amounts, including: 13.5 p X \$2,200 = \$29,700. A similar handwritten sheet contains various marijuana strains with associated ounce weights converted into pound quantities, with various dates from April through September 2011. At the bottom of the sheet appears: 10.4 X 2,300 = \$23,920 Total. On yet

another similar sheet, containing lists of marijuana strains and weights, appears: 8-1/4 (pounds) and 2,300 = \$18,975, with an adjacent date of 5-18-11.

21. During the search warrant execution, officers interviewed Derek HINGER. OMMP paperwork for four “patients” posted at the Tolo Road grow site listed Derek HINGER as the grower. HINGER said he has been an OMMP-authorized patient for about two months, and that Robert HISAMOTO was his “caregiver.” HISAMOTO had asked HINGER to go and get his medical marijuana permit. HINGER did not smoke marijuana because he was on probation. HINGER denied ever going to the Tolo Road grow site and he said that he tried to stay out of HISAMOTO's business. HINGER denied ever being in the drying room in the Elkader Street garage and said that he did not really know what was going on. HINGER did say that HISAMOTO and another person had been bringing bags to the house for the past few nights, but he did not know if the bags contained marijuana.

#### **Post-Search Warrant Interviews of OMMP Registrants**

22. In December 2011, I interviewed Wayne READER, the father of Charles READER. Wayne was listed as an OMMP-authorized grower at 6530 Tolo Road, Central Point, OR. Wayne said that Robert HISAMOTO asked him to become a grower about a year and a half to two years earlier. Wayne did not know who his “patients” were but thought he was assigned four patients by HISAMOTO. Wayne said that he was not actually involved in growing the marijuana and did not know how many marijuana plants were assigned to him. Wayne did watch the trimming machine being used and he saw trimmers working in the garage at the Tolo Road grow site. Wayne said that HISAMOTO had an additional marijuana grow site in the Butte Falls area. (This was independently verified by me as being located at 9526 Butte Falls

Highway, Eagle Point, OR.) However, Wayne had not been to this grow location and did not know who operated it. Robert HISAMOTO was in charge of the grow site at Tolo Road, and Wayne's son, Charles READER, worked for HISAMOTO on the grow. Wayne had been to the Tolo Road grow site on several occasions and has seen HISAMOTO there. Madeline READER and Elizabeth READER helped trim the marijuana, and Charlie READER took care of the field (grow site). Wayne said he had no personal knowledge of HISAMOTO selling the marijuana, but that four or five days before the search warrant execution at Tolo Road, HISAMOTO said that they were "legal" because they were down to about 90 plants.

23. In May 2012, I interviewed several of the "patients" listed on the OMMP documents posted at the Tolo Road grow site during the search warrant execution (the interviewees are listed herein by their initials):

- a) SY was a listed patient, with Robert HISAMOTO as her caregiver and Wayne READER as her grower. SY said that she had been signed up with HISAMOTO for two years. When she was new to OMMP, SY was told that Robert HISAMOTO was a grower who was accepting patients. SY went to the medical marijuana clinic on East Main Street in Medford, OR where she met with "Mandy" (Madeline READER), who took SY in for the doctor's appointment. SY was supposed to receive one pound of marijuana each year. However, in 2010, SY only received a little bit of poor quality marijuana from HISAMOTO. SY was told this was due to a mold problem in HISAMOTO's crop that year. SY thought HISAMOTO was her actual grower and did not know Wayne READER. As far as SY knew, HISAMOTO was growing one marijuana plant for her. SY had no knowledge about the Tolo Road grow site location.

- b) PP was a listed patient with Robert HISAMOTO as her caregiver and Elizabeth READER as her grower. PP knew HISAMOTO through his “dojo” (martial arts studio). PP’s medical marijuana patient status was arranged by “Rob” (Robert HISAMOTO) and “Mandy” (Madeline READER). Rob and Mandy took care of the (OMMP) paperwork and all of the details. Mandy met PP at the medical marijuana clinic to help get PP signed up with the OMM Program. HISAMOTO has been PP’s grower for two years (2010 and 2011). However, in 2010 PP did not receive any marijuana from HISAMOTO, and was told this was due to a mold problem with HISAMOTO’s marijuana. PP has never been to the Tolo Road grow site. PP understood she was supposed to receive 1-1/2 pounds of marijuana from HISAMOTO per year. PP did not know Elizabeth READER, and said that HISAMOTO was her grower/caregiver. HISAMOTO was supposed to be growing six plants for her each year.
- c) EH was a listed patient (expired 5/20/11) with Ray PRESTON as her caregiver and Madeline READER as her grower. EH said she met HISAMOTO through his dojo and that HISAMOTO signed her up under the OMM Program. HISAMOTO filled out the OMMP application and EH signed it. However, HISAMOTO took her “medicine” (marijuana) and gave it to someone else. EH described her arrangement with HISAMOTO as “a big scam,” and that EH never did receive any marijuana from HISAMOTO. EH thought that HISAMOTO was going to grow 12 or 24 marijuana plants for her.
- d) MH was a listed patient with Robert HISAMOTO as caregiver and Charles READER as her grower. MH said she was introduced to “Rob” (HISAMOTO) about 3 years ago through her then-boyfriend. At that time, HISAMOTO was setting up a grow site at an

unknown location in Central Point. At HISAMOTO's request, MH agreed to sign up as an OMMP patient even though MH was not really a marijuana user. HISAMOTO took care of the OMMP paperwork and paid for MH's permit. MH went with "Mandy" (Madeline READER) to the medical marijuana clinic on East Main Street in Medford to get signed up. MH said that Mandy actually paid for everything. In 2010, HISAMOTO was MH's listed grower. In 2011, Mandy contacted MH to renew the OMMP permit and arranged and paid for the renewal. MH understood that for 2011, HISAMOTO became her caregiver and Charles READER was her grower. Mandy told MH to contact HISAMOTO when harvest time arrived. However, MH never talked to HISAMOTO after the permit renewal. In 2010, HISAMOTO's Elkader Street address was the grow site, and in 2011 it moved to Tolo Road. MH said that in reality, she never received any marijuana from HISAMOTO in 2010 or 2011. HISAMOTO told MH that he did not have any marijuana for MH in 2010 was because he had been "ripped off." HISAMOTO told MH he was going to make a lot of money by selling the marijuana and would eventually pay MH for her involvement. MH said she did not know how many marijuana plants HISAMOTO grew for her in 2010 or 2011.

- e) LR was a listed patient with Wayne READER as her grower. LR stated she had considered being an OMMP patient when she learned that there were "openings" at "Rob's" (HISAMOTO's grow site). LR knew HISAMOTO through his business, Samurai Fighting Arts. When it came time to sign up, LR was assisted by "Mandy" (Madeline READER) and another person. Mandy helped LR get to the clinic and Mandy shared the cost of the doctor's appointment and the OMMP application fee. Mandy told LR who to put on the OMMP application as "grower" and "caregiver." LR was aware



that Wayne READER was her listed grower. LR knew who Wayne READER was but never spoke with him about growing marijuana for her. LR never “used” her OMMP permit and that it had expired. LR had “changed her mind” before she even received the card. LR never actually received any marijuana or money and had never been to the grow site. LR did not recall who her listed “caregiver” was. There were never any arrangements made with LR regarding how much marijuana she would receive; LR had changed her mind about being involved in the program before any such arrangements were made.

- f) JM was a listed grower for two patients on OMMP applications posted at the Tolo Road grow site. JM stated he began living at Rob’s (Robert HISAMOTO’s) residence on Elkader Street in Ashland in 2009. Sometime after that, HISAMOTO took JM to the Tolo Road grow site where 100 indoor marijuana plants were growing in the garage area; eventually, the amount went up to about 200 plants. JM started going to the Tolo Road grow site with HISAMOTO almost daily to check on the plants and assist with the marijuana trimming, sometimes staying until 1 or 2 a.m. Charlie and Mandy READER lived at the residence with their children. HISAMOTO tasked Charlie to take care of the marijuana plants. JM described himself as a laborer for HISAMOTO. HISAMOTO had JM dig 198 holes at the outdoor grow site for growing marijuana. In 2010, about 20 marijuana plants were transferred to the outdoor site. For the 2011 outdoor grow season, there were 198 marijuana plants growing outside at Tolo Road. JM helped harvest and trim the indoor and outdoor plants. The trimming occurring in the barn and in the hallway next to the garage. JM would trim about 10 ounces of marijuana bud each night that he was there, which they would place in glass jars in two ounce increments.

HISAMOTO, JM and others would take the jars filled with marijuana, approximately 20 to 30 each night for a few months, back to HISAMOTO's Elkader Street house. The jars would usually be put in a large safe in the garage and in another safe in the residence. HISAMOTO gave JM marijuana as payment for JM's trimming work. JM said they would also place about one pound quantities of marijuana in plastic bags, and he knew of about 50 of such bags which were also placed in the safes at HISAMOTO's house. The outdoor marijuana plants grew to be about 2 to 3 feet taller than the indoor plants and yielded about 5 to 6 pounds of marijuana bud each. HISAMOTO was particularly proud of one plant that yielded 8 pounds of bud. JM also said that there were up to 5 or 6 trimmers working at a time at the Tolo Road grow site and identified two other trimmers by name. HISAMOTO paid all the trimmers with marijuana. HISAMOTO required that the jars, plastic bags and paper bags used to transport the marijuana be labeled with the marijuana strains. JM would go shopping with HISAMOTO at WinCo, and HISAMOTO would grab a stack of paper grocery sacks which they used to transport the bulk marijuana from Tolo Road to Elkader Street. JM said they would use the paper grocery bags if they ran out of jars. JM said there were 2 to 3 cycles (crops) of marijuana grown indoors in the basement area per year. HISAMOTO had to put up the "Trim Rules" signs at the Tolo Road grow site in 2010 because he was having problems with the trimmers stealing the marijuana. HISAMOTO kept an unorganized notebook that only HISAMOTO could really understand, that contained records of the marijuana strains, weights, amounts, and a list of the OMMP cardholders. JM "guessed" that he was listed as an OMMP-grower at the Tolo Road grow site. JM sometimes watered the plants for HISAMOTO and Charlie, and did overnight security at the site by sleeping in a tent

there. HISAMOTO had “people” who would come over to the Elkader Street house and purchase marijuana. In one instance, JM helped HISAMOTO load 20 pounds of marijuana into a vehicle at Elkader Street for one of HISAMOTO’s customers. JM was unsure how much HISAMOTO would sell the marijuana for because JM did not handle the money, but JM thought HISAMOTO’s price was \$1,000 per pound. On some occasions, HISAMOTO would go to his bank with a large amount of cash in bank bags. HISAMOTO used a coded language when speaking about the plants, such as when he would call Mandy to talk about the operation. JM gave examples of, “girls cut some hair,” referring to trimming the marijuana, and “ring girls needed a makeover,” referring to transferring the marijuana plants from indoors to outdoors. At one point, HISAMOTO said he needed more patients so that he could expand the operation beyond 198 outdoor plants. HISAMOTO also mentioned at one point that they needed to first satisfy the “patients” before they found buyers for the rest. HISAMOTO assured JM that everything was “legal” (apparently because HISAMOTO had enough OMMP patients for the number of plants at the grow site).

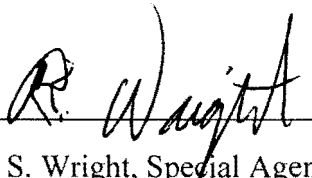
- g) DM was listed as a “patient” on an OMMP application dated June 2, 2011 posted at the Tolo Road grow site, with Robert HISAMOTO as the “caregiver” and JM as the “grower.” DM said she was told by her son, JM, that “Rob” (Robert HISAMOTO) was looking for more “patients” for his grow site; JM was a friend of HISAMOTO. DM agreed and got in touch with HISAMOTO by telephone on a couple of occasions. HISAMOTO set up an appointment at the medical marijuana clinic in Medford for DM. DM went to the clinic and met with a female, who she thought was named “Mandy,” who paid for the doctor’s visit and for the OMMP paperwork. DM filled out her portion of the

OMMP application as “patient,” signed it, and gave it to Mandy. Mandy was going to take care of the paperwork from there. DM later changed her mind and did not want to be a part of the program as her son was no longer friends with HISAMOTO. DM never received an OMMP permit as a “patient” or any other OMMP paperwork, nor did she receive any marijuana from HISAMOTO. As far as DM was concerned, she was never associated with HISAMOTO’s grow site, nor did she ever officially have him as her caregiver or grower.

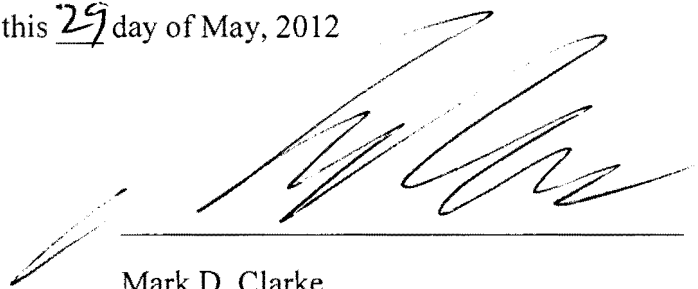
### CONCLUSION

24. Based on the foregoing, I have probable cause to believe that Robert D. HISAMOTO, DOB: ##-##-70, Charles L. READER, DOB: ##-##-60, Madeline L. READER, DOB: ##-##-71, and Gary C. FIGUEIRA, ##-##-79, and others have committed the crimes of Manufacture, Distribution and Possession with Intent to Distribute Marijuana, and Conspiracy to commit the same, in violation of 21 U.S.C. 841(a)(1) and 846. I thus request that the court authorize warrants to arrest these persons for the crimes alleged above.

25. I have presented this affidavit to AUSA Doug Fong and he advised me that, in his opinion, the proposed warrant is in proper form and is supported by probable cause.

  
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Ronald S. Wright, Special Agent  
Drug Enforcement Administration

SUBSCRIBED and SWORN to before me this 29 day of May, 2012

  
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Mark D. Clarke  
United States Magistrate Judge