

CRIMINAL COMPLAINT

I, Postal Inspector Thomas Halsell, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

Alleged Offense:

On or about October 6, 2020, in the Fort Worth Division of the Northern District of Texas, defendant **Mary Jane McIntyre** did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 84l(a)(l) and (b)(l)(C).

1. Your Affiant, Thomas Halsell, is currently employed as a U.S. Postal Inspector with the United States Postal Inspection Service and has been so employed for the past 14 years. I am currently assigned to the Contraband Interdiction and Investigation (CI2) Team for the Fort Worth Division of the U.S. Postal Inspection Service. Part of my responsibilities as a member of the CI2 Team is the investigation of controlled substances transported through the U.S. Postal Service in violation of 21 U.S.C. §§ 841(a)(1), distribution of a controlled substance, and 843(b), use of the mails to facilitate or commit a drug trafficking crime, of The Drug Abuse Prevention and Control Act. I have participated in the interdiction of illegal drugs shipped via the U.S. Mail, and have

Criminal Complaint - Page 1

received training relative to criminal investigations and narcotics trafficking from the U. S. Postal Inspection Service.

- 2. It is my belief that Mary Jane McIntyre conspired with others to possess with intent to distribute a controlled substance in violation of 21 U.S.C. § 841.
- 3. Since this affidavit is submitted only for the limited purpose of securing a criminal complaint, I have not set forth each and every fact known to me concerning this investigation. I have included what I believe are facts sufficient in establishing probable cause for the complaint sought. The facts in this affidavit are based on, among other things, my review of evidence and discussions with other law enforcement officers.

PROBABLE CAUSE

- 4. On or about October 6, 2020, Postal Inspectors and Special Agents with the U.S. Postal Service Office of Inspector General (USPS-OIG) executed a federal search warrant at McIntyre's residence on Savannah Club Drive in Arlington, Tarrant County, Texas.
- 5. During the execution of the search warrant, Postal Inspectors recovered several vacuum-sealed bags containing bulk quantities of a crystalline substance, which field tested positive for methamphetamine. Along with the methamphetamine, agents recovered quantities of small vacuum-sealed packages marked with 3.5 and 7 in red marker on the exterior of the bag, this is consistent with narcotics packages recovered during the investigation. Also found in the residence were USPS shipping supplies

including Priority Mail envelopes, Priority Mail Small Flat Rate boxes, manila envelopes, suspected marijuana, blank DVD cases, and rolls of vacuum seal bags. Postal Inspectors also recovered envelopes with approximately \$23,000 or more in U.S. currency hid behind several pictures on the walls of the apartment.

- 6. On prior occasions, **McIntyre** has been captured on Post Office surveillance cameras mailing parcels for her son, who is a known narcotics distributor.
- 7. Based upon the foregoing facts and information, I respectfully submit that there is probable cause to believe that **Mary Jane McIntyre** did possess with intent to distribute a controlled substance in violation of 21 U.S.C. § 841.

T. Halsell

Postal Inspector

U.S. Postal Inspection Service

Sworn to before me, and subscribed in my presence on this _____ day of October 2020, at _/:58 _____ a.m./pma. in Fort Worth, Texas.

IEFFREY L. CURETON

UNITED STATES MAGISTRATE JUDGE

ORIGINAL

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXASKOV -4 PH 4: 12 FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

No. 4:20-cr-304-P

MARY JANE MCINTYRE

(01)

INDICTMENT

The Grand Jury Charges:

Count One

Possession with Intent to Distribute a Controlled Substance (Violation of 21 U.S.C. § 841(a)(l) and (b)(l)(C))

On or about October 6, 2020, in the Fort Worth Division of the Northern District of Texas, defendant Mary Jane McIntyre did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of 21 U.S.C. § 841(a)(l) and (b)(l)(C).

A TRUE BILL.



ERIN NEALY COX UNITED STATES ATTORNEY

ROBERT J. BOUDREAU

Assistant United States Attorney New York State Bar No. 4686507

801 Cherry Street, Suite 1700 Fort Worth, Texas 76102

Telephone: 817-252-5200 Facsimile: 817-252-5455

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

THE UNITED STATES OF AMERICA

v.

MARY JANE MCINTYRE (01)

INDICTMENT

21 U.S.C. § 841(a)(l) and (b)(l)(C)
Possession with Intent to Distribute a Controlled Substance
1 Count

A true bill rendered		3
DALLAS		FOREPERSON
Filed in open court this	4th day of November, 2020.	
No Warrant Needed –	Defendant on Pre-Trial Release	
	UNITED STATES MAGISTRATE JUD Magistrate Court Number: 4:20-MJ-676	

ORIGINA ase 4:20-cr-00304-P Document 18 Filed 11/30/20 Page 1 of 2 PageID 41

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

MARY JANE MCINTYRE (01)

No. 4:20-CR-304-P (Supersedes Indictment returned on November 4, 2020)

CT.7

SUPERSEDING INFORMATION

The United States Attorney Charges:

Count One

Possession of a Controlled Substance with Intent to Distribute (Violation of 21 U.S.C. § 841(a)(l) and (b)(l)(C))

On or about October 6, 2020, in the Fort Worth Division of the Northern District of Texas, defendant Mary Jane McIntyre did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of 21 U.S.C. § 841(a)(l) and (b)(l)(C).

Case 4:20-cr-00304-P Document 18 Filed 11/30/20 Page 2 of 2 PageID 42

Forfeiture Notice (21 U.S.C.§ 853(a))

Pursuant to 21 U.S.C. § 853, upon conviction of any offense violating 21 U.S.C. § 841, the defendant(s) shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense(s) and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense(s). The property to be forfeited includes, but is not limited to:

- A. \$1,423 in U.S. currency; and
- B. \$24,760 in U.S. currency.

ERIN NEALY COX UNITED STATES ATTORNEY

ROBERT J. BOUDREAU

Assistant United States Attorney New York State Bar No. 4686507

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Fort Worth, Texas 76102

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ORIGINAL

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXASKOV -4 PH 4: 12 FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

No. 4:20-cr-304-P

MARY JANE MCINTYRE

(01)

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Count One

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On or about October 6, 2020, in the Fort Worth Division of the Northern District of Texas, defendant Mary Jane McIntyre did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of 21 U.S.C. § 841(a)(l) and (b)(l)(C).

A TRUE BILL.



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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

THE UNITED STATES OF AMERICA

v.

MARY JANE MCINTYRE (01)

INDICTMENT

21 U.S.C. § 841(a)(l) and (b)(l)(C)
Possession with Intent to Distribute a Controlled Substance
1 Count

A true bill rendered		3
DALLAS		FOREPERSON
Filed in open court this	4th day of November, 2020.	
No Warrant Needed –	Defendant on Pre-Trial Release	
	UNITED STATES MAGISTRATE JUD Magistrate Court Number: 4:20-MJ-676	

ORIGINALIN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

NORTHERN DISTRICT OF TEXAS.

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U.S. DISTRICT COURT

DEC - 9 20

UNITED STATES OF AMERICA

CI ERK U.S. DISTRICT COURT

v.

MARY JANE MCINTYRE (01)

PLEA AGREEMENT WITH WAIVER OF APPEAL

MARY JANE MCINTYRE ("the defendant"), the defendant's attorney, and the United States of America ("the government"), agree as follows:

- 1. **Rights of the Defendant**: The defendant understands that she has the right:
 - a. to plead not guilty;
 - b. to have a trial by jury;
 - c. to have her guilt proven beyond a reasonable doubt;
 - d. to confront and cross-examine witnesses and to call witnesses in her defense; and
 - e. against compelled self-incrimination.
- 2. Waiver of rights and plea of guilty: The defendant waives these rights, waives any defenses she may have based on any statute of limitations, and pleads guilty to the offense alleged in Count One, charging a violation of 21 U.S.C. § 841(a)(l) and (b)(l)(C), that is possession of a controlled substance with intent to distribute. The defendant understands the nature and elements of the crime to which she is pleading

guilty, and agrees that the factual resume she has signed is true and will be submitted as evidence.

- 3. Sentence: The maximum penalties the Court can impose are as follows:
 - a. Imprisonment for a period not more than 20 years;
 - b. A fine not to exceed \$1,000,000 or both a fine and imprisonment;
 - c. A supervised-release term of not less than 3 years. If the defendant violates any of the supervised-release conditions, the Court may revoke such term of supervised release and require the defendant to serve an additional period of confinement;
 - d. A \$100 mandatory special assessment;
 - e. Restitution to victims or to the community; and
 - f. Forfeiture of property.
- defendant understands that the sentence in this case will be imposed by the Court after consideration of the United States Sentencing Guidelines. The guidelines are not binding on the Court, but are advisory only. The defendant has reviewed the guidelines with her attorney, but understands no one can predict with certainty the outcome of the Court's consideration of the guidelines in this case. Pursuant to Rule 11(c)(1)(B), FED. R. CRIM. P., the government hereby recommends that the Court impose a sentence at the low end of the sentencing guidelines range as determined by the Court. However, the defendant understands that this recommendation is not binding on the Court, and she will not be allowed to withdraw her plea if the recommendation is not followed or if the applicable advisory guideline range is higher than expected. The defendant fully understands that the actual sentence imposed (so long as it is within the statutory maximum) is solely in

the discretion of the Court, and she will not be allowed to withdraw her plea if her sentence is higher than expected.

- 5. **Immigration consequences:** The defendant recognizes that pleading guilty may have consequences with respect to her immigration status if she is not a citizen of the United States. Under federal law, a broad range of crimes are removable The defendant understands this may include the offense to which she is pleading guilty, and for purposes of this plea agreement, the defendant assumes the offense is a removable offense. Removal and other immigration consequences are the subject of a separate proceeding, however, and the defendant understands that no one, including the defendant's attorney or the district court, can predict to a certainty the effect of the defendant's conviction on the defendant's immigration status. The defendant nevertheless affirms that she wants to plead guilty regardless of any immigration consequences that the defendant's plea of guilty may entail, even if the consequence is the defendant's automatic removal from the United States.
- 6. Forfeiture of Property: The defendant agrees not to contest, challenge, or appeal in any way the administrative or judicial (civil or criminal) forfeiture to the United States of any property noted as subject to forfeiture in the Indictment/Information and in any bills of particulars, or seized or restrained by law enforcement officers during the investigation(s) related to this criminal cause. The defendant consents to entry of any orders or declarations of forfeiture regarding all such property and waives any applicable statutes of limitation, and any requirements (including notice of forfeiture) set

out in 19 U.S.C. §§ 1607-1609; 18 U.S.C. §§ 981, 983, and 985; the Code of Federal Regulations; and Rules 11, 32.2, and 43(a) of the Federal Rules of Criminal Procedure. The defendant agrees to provide truthful information and evidence necessary for the government to forfeit such property. The defendant agrees to hold the government, its officers, agents, and employees harmless from any claims whatsoever in connection with the seizure, forfeiture, storage, or disposal of such property.

- The defendant is not obligated by this 7. **Defendant's testimony:** agreement to testify in any criminal proceeding related to this case, nor is the defendant required to provide testimony concerning any other criminal offenses about which she has knowledge. If she chooses to do so, however, her testimony must be complete and truthful. Incomplete or dishonest testimony will be a breach of this agreement.
- The government will not bring any 8. Government's agreement: additional charges against the defendant based upon the conduct underlying and related to the defendant's plea of guilty and will move to dismiss, at sentencing, any remaining counts in the Indictment/Information other than those to which the defendant is pleading guilty.
- The defendant understands that if she violates 9. Violation of agreement: any provision of this agreement, or if her guilty plea is vacated or withdrawn, the government will be free from any obligations of the agreement and free to prosecute the defendant for all offenses of which it has knowledge. In such event, the defendant waives any objections based upon delay in prosecution. If the plea is vacated or withdrawn for any reason other than a finding that it was involuntary, the defendant also

waives objection to the use against the defendant of any information or statements she has provided to the government, and any resulting leads.

- 10. Voluntary plea: This plea of guilty is freely and voluntarily made and is not the result of force or threats, or of promises apart from those set forth in this plea There have been no guarantees or promises from anyone as to what agreement. sentence the Court will impose.
- Representation of counsel: The defendant has thoroughly reviewed all 11. legal and factual aspects of this case with her lawyer and is fully satisfied with that lawyer's legal representation. The defendant has received from her lawyer explanations satisfactory to her concerning each paragraph of this plea agreement, each of her rights affected by this agreement, and the alternatives available to her other than entering into this agreement. Because she concedes that she is guilty, and after conferring with her lawyer, the defendant has concluded that it is in her best interest to enter into this plea agreement and all its terms, rather than to proceed to trial in this case.
- 12. Waiver of right to appeal or otherwise challenge sentence: defendant waives her rights, conferred by 28 U.S.C. § 1291 and 18 U.S.C. § 3742, to appeal the conviction, sentence, fine, order of restitution, and order of forfeiture. The defendant further waives her right to contest her conviction, sentence, fine, order of restitution, and order of forfeiture in any collateral proceeding, including proceedings under 28 U.S.C. § 2241 and 28 U.S.C. § 2255. The defendant, however, reserves the rights to bring (a) a direct appeal of (i) a sentence exceeding the statutory maximum punishment, or (ii) an arithmetic error at sentencing; (b) to challenge the voluntariness of

this plea of guilty or this waiver; and (c) to bring a claim of ineffective assistance of counsel.

- Limitation of Agreement: This agreement is limited to the United States 13. Attorney's Office for the Northern District of Texas and does not bind any other federal, state, or local prosecuting authorities, nor does it prohibit any civil or administrative proceeding against the defendant or any property.
- 14. **Entirety of agreement:** This document is a complete statement of the parties' agreement and may not be modified unless the modification is in writing and signed by all parties.

AGREED TO AND SIGNED this 24 day of NOWARD.

ERIN NEALY COX UNITED STATES ATTORNEY

Assistant United States Attorney New York State Bar No. 4686507

Burnett Plaza, Suite 1700 801 Cherry Street, Unit #4

Fort Worth, Texas 76102 Telephone: 817-252-5200

Facsimile:

817-252-5455

Attorney for Defendant

Deputy Criminal Chief

I have read (or had read to me) this Plea Agreement and have carefully reviewed every part of it with my attorney. I fully understand it and voluntarily agree to it.

124/2010

I am the defendant's counsel. I have carefully reviewed every part of this Plea Agreement with the defendant. To my knowledge and belief, my client's decision to enter into this flea Agreement is an informed and voluntary one.

ANTHONY GREEN

Attorney for Defendant

Plea Agreement - Page 7

Case 4:20-cr-00304-P Document 53 Filed 05/07/21 Page 1 of 5 PageID 161

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF TEXAS Fort Worth Division

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

v.

Case Number: 4:20-CR-00304-P(01) U.S. Marshal's No.: 11464-509

MARY JANE MCINTYRE

Robert Boudreau, Assistant U.S. Attorney Franklyn Mickelsen, Attorney for the Defendant

On December 9, 2020 the defendant, MARY JANE MCINTYRE, entered a plea of guilty as to Count One of the Superseding Information filed on November 30, 2020. Accordingly, the defendant is adjudged guilty of such Count, which involves the following offense:

<u>Title & Section</u> 21 U.S.C. § 841(a)(1) and (b)(1)(C) Nature of Offense
Possession of a Controlled Substance with Intent to

Offense Ended 10/06/2020 Count One

Distribute

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to Title 18, United States Code § 3553(a), taking the guidelines issued by the United States Sentencing Commission pursuant to Title 28, United States Code § 994(a)(1), as advisory only.

The defendant shall pay immediately a special assessment of \$100.00 as to Count One of the Superseding Information filed on November 30, 2020.

Upon motion of the government, all remaining counts are dismissed, as to this defendant only.

The defendant shall notify the United States Attorney for this district within thirty days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Sentence imposed May 6, 2021.

MARK T. PITTMAN U.S. DISTRICT JUDGE

Signed May 7, 2021.

Judgment in a Criminal Case Page 2 of 5

Defendant: MARY JANE MCINTYRE Case Number: 4:20-CR-00304-P(1)

IMPRISONMENT

The defendant, MARY JANE MCINTYRE, is hereby committed to the custody of the Federal Bureau of Prisons (BOP) to be imprisoned for a term of **Seventy-Two (72) months** as to Count One of the Superseding Information filed on November 30, 2020.

The Court recommends to the Bureau of Prisons that the defendant be incarcerated, if possible, at a facility near the Kansas City area (taking into account the security level of the facility as priority first).

The defendant is allowed to voluntarily surrender to the designated BOP facility on or before 2:00pm, Tuesday, June 8, 2021.

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of **Three (3) years** as to Count One of the Superseding Information filed on November 30, 2020.

While on supervised release, in compliance with the standard conditions of supervision adopted by the United States Sentencing Commission, the defendant shall:

- 1) The defendant shall report to the probation office in the federal judicial district where he or she is authorized to reside within 72 hours of release from imprisonment, unless the probation officer instructs the defendant to report to a different probation office or within a different time frame;
- 2) After initially reporting to the probation office, the defendant will receive instructions from the court or the probation officer about how and when to report to the probation officer, and the defendant shall report to the probation officer as instructed;
- 3) The defendant shall not knowingly leave the federal judicial district where he or she is authorized to reside without first getting permission from the court or the probation officer;
- 4) The defendant shall answer truthfully the questions asked by the probation officer;
- 5) The defendant shall live at a place approved by the probation officer. If the defendant plans to change where he or she lives or anything about his or her living arrangements (such as the people the defendant lives with), the defendant shall notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, the defendant shall notify the probation officer within 72 hours of becoming aware of a change or expected change;
- 6) The defendant shall allow the probation officer to visit the defendant at any time at his or her home or elsewhere, and the defendant shall permit the probation officer to take any items prohibited by the conditions of the defendant's supervision that he or she observed in plain view;

Judgment in a Criminal Case Page 3 of 5

Defendant: MARY JANE MCINTYRE Case Number: 4:20-CR-00304-P(1)

- 7) The defendant shall work full time (at least 30 hours per week) at a lawful type of employment, unless the probation excuses the defendant from doing so. If the defendant does not have full-time employment, he or she shall try to find full-time employment, unless the probation officer excuses the defendant from doing so. If the defendant plans to change where the defendant works or anything about his or her employment (such as the position or the job responsibilities), the defendant shall notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, the defendant shall notify the probation officer within 72 hours of becoming aware of a change or expected change;
- 8) The defendant shall not communicate or interact with someone the defendant knows is engaged in criminal activity. If the defendant knows someone has been convicted of a felony, the defendant shall not knowingly communicate or interact with that person without first getting the permission of the probation officer;
- 9) If the defendant is arrested or questioned by a law enforcement officer, the defendant shall notify the probation officer within 72 hours;
- 10) The defendant shall not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person, such as nunchakus or tasers);
- 11) The defendant shall not act or make an agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court;
- 12) If the probation officer determines that the defendant poses a risk to another person (including an organization), the probation officer may require the defendant to notify the person about the risk and the defendant shall comply with that instruction. The probation officer may contact the person and confirm that the defendant has notified the person about the risk; and,
- 13) The defendant shall follow the instructions of the probation officer related to the conditions of supervision.

In addition the defendant shall:

not commit another federal, state, or local crime;

not possess illegal controlled substances;

not possess a firearm, destructive device, or other dangerous weapon;

cooperate in the collection of DNA as directed by the U.S. probation officer;

submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court;

Judgment in a Criminal Case Page 4 of 5

Defendant: MARY JANE MCINTYRE Case Number: 4:20-CR-00304-P(1)

pay the assessment imposed in accordance with 18 U.S.C. § 3013; and,

participate in an outpatient program approved by the probation officer for treatment of narcotic or drug or alcohol dependency that will include testing for the detection of substance use, abstaining from the use of alcohol and all other intoxicants during and after completion of treatment, contributing to the costs of services rendered (copayment) at the rate of at least \$25 per month.

FINE/RESTITUTION

The Court does not order a fine or costs of incarceration because the defendant does not have the financial resources or future earning capacity to pay a fine or costs of incarceration.

Restitution is not ordered because there is no victim other than society at large.

FORFEITURE

Pursuant to 18 U.S.C. §982(a)(1) and 28 U.S.C. § 2461(c), it is hereby ordered that the defendant's interest in the following property is condemned and forfeited to the United States: any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense(s), and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offense(s), including, but not limited to: A) \$1,423; and B) \$24,760.

Case 4:20-cr-00304-P Document 53 Filed 05/07/21 Page 5 of 5 PageID 165

Judgment in a Criminal Case Page 5 of 5

Judgment in a Criminal Case Defendant: MARY JANE MCINTYRE Case Number: 4:20-CR-00304-P(1)

RETURN

	I have executed this judgment as	follows:
	Defendant delivered on	to
at		
		United States Marshal
		BY Deputy Marshal