

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

UNITED STATES OF AMERICA,

CR 20-30116

Plaintiff,

REDACTED INDICTMENT

vs.

MICHAEL BRIAN WHIRLWIND
SOLDIER,

THEFT IN CONNECTION WITH
HEALTH CARE, THEFT FROM A
TRIBAL ORGANIZATION, and
OBTAINING CONTROLLED
SUBSTANCES BY DECEPTION

Defendant.

18 U.S.C. §§ 669(a) and 1163, and 21
U.S.C. § 843(a)(3)

The Grand Jury charges:

COUNT I

On or about between the 17th day of December, 2019, and the 28th day of July, 2020, in the District of South Dakota, the defendant, Michael Brian Whirlwind Soldier, did knowingly and willfully embezzle, steal, and convert without authority to his own use vials of fentanyl, vials of morphine, and vials of hydromorphone, the value of which was over \$100, belonging to a health care benefit program as defined in 18 U.S.C. § 24(b), that is, the Crow Creek Ambulance Service, in violation of 18 U.S.C. § 669(a).

COUNT II

On or about between the 17th day of December, 2019, and the 28th day of July, 2020, in the District of South Dakota, the defendant, Michael Brian Whirlwind Soldier, being an officer and employee of an Indian tribal organization,

that is, the director of the Crow Creek Ambulance Service, did steal and knowingly convert to his own use vials of fentanyl, vials of morphine, and vials of hydromorphone, the value of which was over \$1,000, belonging to the said Crow Creek Ambulance Service, in violation of 18 U.S.C. § 1163.

COUNT III

On or about between the 17th day of December, 2019, and the 28th day of July, 2020, in the District of South Dakota, the defendant, Michael Brian Whirlwind Soldier, did knowingly and intentionally acquire and obtain possession of fentanyl, a Schedule II controlled substance, morphine, a Schedule II controlled substance, and hydromorphone, a Schedule II controlled substance, by misrepresentation, fraud, forgery, deception, and subterfuge, in violation of 21 U.S.C. § 843(a)(3).

A TRUE BILL:

NAME REDACTED

Foreperson

RONALD A. PARSONS, JR.
United States Attorney

By: _____

