

FILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF LA.

2018 JAN 26 P 12:31

WILLIAM K. GLEVINS  
CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

**FELONY**

**SECOND SUPERSEDING INDICTMENT FOR VIOLATIONS  
OF THE FEDERAL CONTROLLED SUBSTANCES ACT,  
THE FEDERAL GUN CONTROL ACT, AND STRUCTURING**

UNITED STATES OF AMERICA

\* CRIMINAL NO. 16-197

v.

\* SECTION: "A"

DWIGHT ALEXANDER

\* VIOLATIONS: 21 U.S.C. § 841(a)(1)  
21 U.S.C. § 841(b)(1)(A)  
\* 21 U.S.C. § 846  
21 U.S.C. § 841(b)(1)(C)  
\* 18 U.S.C. § 924(c)(1)(A)  
18 U.S.C. § 2  
\* 18 U.S.C. § 922(g)(1)  
18 U.S.C. § 924(a)(2)  
\* 31 U.S.C. § 5324(a)(3)  
31 U.S.C. § 5324(d)(2)  
\* 31 C.F.R. § 1010.100(xx)  
31 C.F.R. § 1010.311  
\* 31 C.F.R. § 1010.313  
31 C.F.R. § 1010.314  
\*

\* \* \*

The Grand Jury charges that:

**COUNT 1**

Beginning on a date unknown but not later than December 5, 2012, and continuing until  
on or about October 7, 2016, in the Eastern District of Louisiana and elsewhere, the defendant,

✓ Fee USA  
Process \_\_\_\_\_  
X Dktd \_\_\_\_\_  
CtRmDep \_\_\_\_\_  
Doc. No. \_\_\_\_\_

**DWIGHT ALEXANDER**, did knowingly and intentionally combine, conspire, confederate and agree with persons known and unknown to the Grand Jury, to distribute and to possess with the intent to distribute one (1) kilogram or more of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, and five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine hydrochloride, a Schedule II drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A); all in violation of Title 21, United States Code, Section 846.

**COUNT 2**

On or about December 13, 2012, in the Eastern District of Louisiana, the defendant, **DWIGHT ALEXANDER**, did knowingly and intentionally distribute a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT 3**

On or about December 13, 2012, in the Eastern District of Louisiana, the defendant, **DWIGHT ALEXANDER**, did knowingly and intentionally distribute a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT 4**

On or about October 7, 2016, in the Eastern District of Louisiana, the defendant, **DWIGHT ALEXANDER**, did knowingly possess a firearm, that is, a Taurus 85 Ultralite, .38 caliber revolver, bearing serial number GU43270, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, to wit: conspiracy to distribute and possess with

intent to distribute controlled substances, as set forth in Count 1 of this Second Superseding Indictment; in violation of Title 18, United States Code, Sections 924(c)(1)(A) and 2.

### **COUNT 5**

On or about October 7, 2016, in the Eastern District of Louisiana, the defendant, **DWIGHT ALEXANDER**, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: a conviction on July 23, 2003, in Jefferson Parish Twenty-Fourth Judicial District Court, Docket No. 02-3286 "A," for possession of diazepam, a Schedule IV drug controlled substance, in violation of LA. R.S. 40:967, did knowingly possess in and affecting interstate commerce, a firearm, that is, a Taurus 85 Ultralite, .38 caliber revolver, bearing serial number GU43270, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2), and 2.

### **COUNT 6**

#### **A. AT ALL TIMES MATERIAL HEREIN:**

1. Title 31, United States Code, Section 5313 and the regulations promulgated thereunder require any financial institution that engages in a currency transaction (*e.g.*, a deposit or withdrawal) in excess of \$10,000 with a customer to report the transaction to the Department of the Treasury by filing a Currency Transaction Report ("CTR"). These regulations also require that multiple transactions be treated as a single transaction if the financial institution has knowledge that they are by, or on behalf of, the same person, and they result in either currency received or disbursed by the financial institution totaling more than \$10,000 during any one business day.

2. CTRs are often used by law enforcement to uncover a wide variety of illegal activities. Many individuals engaged in illegal activities are aware of such reporting requirements



and take active steps to cause financial institutions to fail to file CTRs, such as, for example, making multiple cash deposits in amounts less than \$10,000 on the same day or on consecutive days. These active steps are often referred to as “structuring.” Structuring cash deposits to avoid triggering the filing of a CTR by a financial institution is prohibited by Title 31, United States Code, Section 5324(a).

3. Capital One Bank and JP Morgan Chase are domestic financial institutions.

**B. STRUCTURING**

4. Beginning on a date unknown but not later than 2015, and continuing until on or about October 7, 2016, in the Eastern District of Louisiana, the defendant, **DWIGHT ALEXANDER**, did knowingly and for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations promulgated thereunder, structure and assist in structuring and attempt to structure transactions with domestic financial institutions, and did so while violating other laws of the United States, that is, conspiracy to distribute controlled substances and distributing controlled substances, in violation of Title 31, United States Code, Sections 5324(a)(3) and 5324(d)(2); Title 31, Code of Federal Regulations, Sections 1010.100(xx), 1010.311, 1010.313, and 1010.314; and Title 18, United States Code, Section 2.

**NOTICE OF DRUG FORFEITURE**

1. The allegations of Counts 1-3 of this Second Superseding Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offenses alleged in Counts 1-3 of this Second Superseding Indictment, the defendant, **DWIGHT ALEXANDER**, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any

proceeds the defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts 1-3 of this Second Superseding Indictment, including, but not limited to the following described properties:

\$1,365.78 U.S. Currency seized from Capital One Bank,  
Account Number: 5630172707, in the name of Dwight  
Alexander and Tanya Alexander;

\$5,013.94 U.S. Currency seized from Capital One Bank,  
Account Number: 8081874892, in the name of Dwight  
Alexander and Tanya Alexander;

\$55,052.36 U.S. Currency seized from Capital One Bank,  
Account Number: 2082550499, in the name of The  
Botanical Network, LLC;

\$175,538.21 U.S. Currency seized from Capital One Bank,  
Account Number: 2082665342, in the name of D.A.T.A.  
Enterprises, LLC;

\$150,000 U.S. Currency seized from Capital One Bank,  
Account Number: 2082666144, in the name of The  
Botanical Network, LLC;

\$3,569 U.S. Currency;

\$34,271 U.S. Currency.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

### **NOTICE OF GUN FORFEITURE**

1. The allegations in Counts 4 and 5 of this Second Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Counts 4 and 5 of this Second Superseding Indictment, the defendant, **DWIGHT ALEXANDER**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1), made applicable through Title 28, United States Code, Section 2461(c), any firearm or ammunition, which was involved in or used in a knowing violation of Title 18, United States Code, Sections 924(c)(1)(A) and 922(g)(1), as alleged in Counts 4 and 5 of this Second Superseding Indictment.

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond jurisdiction of the Court;
- d. has been substantially diminished in value; or



- e. has been commingled with other property, which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above-forfeitable property.

All in violation of Title 18, United States Code, Section 924(d)(1), made applicable through Title 28, United States Code, Section 2461(c).

### **NOTICE OF STRUCTURING FORFEITURE**

1. The allegations of Count 6 of this Second Superseding Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 31, United States Code, Sections 5324 and 5317(c)(1).

2. As a result of the offense alleged in Count 6, the defendant, **DWIGHT ALEXANDER**, shall forfeit to the United States all property, real or personal, involved in the offenses, and any property traceable thereto, including but not limited to:

\$1,365.78 U.S. Currency seized from Capital One Bank,  
Account Number: 5630172707, in the name of Dwight  
Alexander and Tanya Alexander;

\$5,013.94 U.S. Currency seized from Capital One Bank,  
Account Number: 8081874892, in the name of Dwight  
Alexander and Tanya Alexander;

\$55,052.36 U.S. Currency seized from Capital One Bank,  
Account Number: 2082550499, in the name of The  
Botanical Network, LLC;

\$175,538.21 U.S. Currency seized from Capital One Bank,  
Account Number: 2082665342, in the name of D.A.T.A.  
Enterprises, LLC;

\$150,000 U.S. Currency seized from Capital One Bank,  
Account Number: 2082666144, in the name of The  
Botanical Network, LLC.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 31, United States Code, Section 5317(c)(1)(B), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 31, United States Code, Sections 5324 and 5317(c)(1).

**A TRUE BILL:**



**FOR PERSON**

DUANE A. EVANS  
UNITED STATES ATTORNEY



BRANDON S. LONG  
Assistant United States Attorney  
D.C. Bar No. 500721

New Orleans, Louisiana  
January 26, 2018



FORM OBD-34

No. \_\_\_\_\_

**UNITED STATES DISTRICT COURT**

Eastern District of Louisiana

Criminal Division

**THE UNITED STATES OF AMERICA**

vs.

**DWIGHT ALEXANDER**

**SECOND SUPRESEDING INDICTMENT**

**INDICTMENT FOR VIOLATIONS  
OF THE FEDERAL CONTROLLED SUBSTANCES  
ACT AND THE FEDERAL GUN CONTROL ACT**

**VIOLATIONS:** 21 U.S.C. § 841 (a)(1) 18 U.S.C. § 922(g)(1)  
21 U.S.C. § 841 (b)(1)(A) 18 U.S.C. § 924(a)(2)  
21 U.S.C. § 846 31 U.S.C. § 5324(a)(3)  
21 U.S.C. § 841(b)(1)(c) 31 U.S.C. § 5324(d)(2)  
18 U.S.C. § 924(c)(1)(A) 31 U.S.C. § 1010.100(xx)  
18 U.S.C. § 2 31 U.S.C. § 1010.311  
31 U.S.C. § 1010.313  
31 U.S.C. § 1010.314

A true bill.  
Foreperson

Filed in open court this \_\_\_\_\_ day of \_\_\_\_\_  
2017. A.D.

Clerk

Bail, \$ \_\_\_\_\_

  
**BRANDON LONG**  
Assistant United States Attorney

***TO: DOCKET CLERK***

***X MAGISTRATE CASE NUMBER 16-116***

***OR***

***NO MAGISTRATE PAPERS WERE FOUND***

***FOR***

***NAME: DWIGHT ALEXANDER***

**Initials: plh**

If you receive this note without any initials,  
please return the entire packet to criminal desk.

Thank you