

Presented to the Court by the foreman of the Grand Jury in open Court, in the presence of the Grand Jury and FILED in the U.S. DISTRICT COURT at Seattle, Washington

August 24, 2022

RAVI SUBRAMANIAN, Clerk

By S. Prater Deputy

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

- 1. KEVIN CHRISTOPHER GARTRY,
2. JOHN MICHAEL SHERWOOD, and
3. ERIKA A. BOCELLE,

Defendants.

NO. CR22-127 JLR

INDICTMENT

The Grand Jury charges that:

COUNT 1

(Conspiracy to Distribute Controlled Substances)

Beginning at a time unknown, and continuing until at least April 29, 2021, in Clallam County, Washington, within the Western District of Washington, and elsewhere, KEVIN CHRISTOPHER GARTRY, JOHN MICHAEL SHERWOOD, ERIKA A. BOCELLE, and others known and unknown, did knowingly and intentionally conspire to distribute controlled substances, including: methamphetamine, heroin, and N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propanamide (Fentanyl), substances controlled under Title 21, United States Code.

1 The Grand Jury further alleges that with respect to KEVIN CHRISTOPHER
2 GARTRY, JOHN MICHAEL SHERWOOD, and ERIKA A. BOCELLE their conduct as
3 members of the conspiracy charged in Count 1, which includes the reasonably
4 foreseeable conduct of other members of the conspiracy charged in Count 1, involved 50
5 grams or more of methamphetamine, its salts, isomers, or salts of its isomers, and 500
6 grams or more of a mixture or substance containing a detectable amount of
7 methamphetamine, in violation of Title 21, United States Code, Sections 841(b)(1)(A).

8 The Grand Jury further alleges that with respect to KEVIN CHRISTOPHER
9 GARTRY, JOHN MICHAEL SHERWOOD, and ERIKA A. BOCELLE, their conduct as
10 members of the conspiracy charged in Count 1, which includes the reasonably
11 foreseeable conduct of other members of the conspiracy charged in Count 1, involved
12 400 grams or more of a mixture and substance containing a detectable amount of
13 Fentanyl, in violation of Title 21, United States Code, Sections 841(b)(1)(A).

14 All in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

15 **COUNT 2**

16 **(Possession of a Controlled Substance with Intent to Distribute)**

17 On or about April 7, 2021, in Clallam County, within the Western District of
18 Washington, KEVIN CHRISTOPHER GARTRY, JOHN MICHAEL SHERWOOD,
19 ERIKA A. BOCELLE, and others known and unknown, did knowingly and intentionally
20 possess, and attempt to possess, with the intent to distribute, and aid and abet the
21 possession of, with the intent to distribute, a controlled substance, including:
22 methamphetamine and N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide
23 (Fentanyl), a substance controlled under Title 21, United States Code.

24 The Grand Jury further alleges that the offense involved 50 grams or more of
25 methamphetamine, its salts, isomers, or salts of its isomers, and 500 grams or more of a
26 mixture or substance containing a detectable amount of methamphetamine, its salts,
27 isomers, or salts of its isomers.

1 The Grand Jury further alleges that the offense involved 400 grams or more of a
2 mixture and substance containing a detectable amount of Fentanyl, in violation of Title
3 21, United States Code, Sections 841(b)(1)(A)

4 The Grand Jury further alleges that this offense was committed during and in
5 furtherance of the offense alleged in Count 1 (Conspiracy to Distribute Controlled
6 Substances).

7 All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A),
8 846 and Title 18, United States Code, Section 2.

9 **COUNT 3**

10 **(Conspiracy to Commit International Money Laundering)**

11 Beginning at a time unknown, and continuing until on or about April 29, 2021,
12 KEVIN CHRISTOPHER GARTRY, JOHN MICHAEL SHERWOOD, and others known
13 and unknown, did knowingly and intentionally conspire to transport, transmit and
14 transfer, and to cause, aid and abet others to knowingly transport, transmit, and transfer,
15 monetary instruments and funds from a place outside the United States to or through a
16 place inside the United States, knowing and intending that such transportation,
17 transmission and transfer was designed in whole or in part to promote unlawful activity,
18 to wit, *Conspiracy to Distribute Controlled Substances*, as charged in Count 1, in
19 violation of Title 18, United States Code, Section 1956(a)(2)(A).

20 The Grand Jury further alleges that this offense was committed during and in
21 furtherance of the offense alleged in Count 1 (Conspiracy to Distribute Controlled
22 Substances).

23 All in violation of Title 18, United States Code, Sections 1956(h).

24 **FORFEITURE ALLEGATION**

25 The allegations contained in Count 1, 2 and 3 of this Indictment are hereby
26 realleged and incorporated by reference for the purpose of alleging forfeiture.

27 Upon conviction of any of the offenses alleged in Counts 1 and 2, KEVIN
28 CHRISTOPHER GARTRY, JOHN MICHAEL SHERWOOD, and ERIKA A.

1 BOCELLE shall forfeit to the United States, pursuant to Title 21, United States Code,
2 Section 853, any property that constitutes or is traceable to proceeds of the offense, as
3 well as any property that facilitated the offense. This property includes but is not limited
4 to a sum of money reflecting the proceeds the Defendant obtained as a result of the
5 offense.

6 Upon conviction of the offense alleged in Count 3, KEVIN CHRISTOPHER
7 GARTRY and JOHN MICHAEL SHERWOOD shall forfeit to the United States,
8 pursuant to Title 18, United States Code, Section 982(a)(1) any property, real or personal,
9 involved in the offense and any property traceable to such property, including but not
10 limited to a sum of money reflecting the proceeds the Defendant obtained as a result of
11 the offense.

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1 **Substitute Assets.** If any of the above-described forfeitable property, as a result of
2 any act or omission of the defendants,

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

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

12
13 A TRUE BILL:

14 DATED: 24 August 2022

15
16 *Signature of Foreperson redacted pursuant*
17 *to the policy of the Judicial Conference of*
18 *the United States.*

19
20 _____
21 FOREPERSON

22
23 
24 _____
25 NICHOLAS W. BROWN
26 United States Attorney

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28 
29 _____
30 VINCENT T. LOMBARDI
31 Assistant United States Attorney