

AFFIDAVIT

I, Chad Wilson, being duly sworn, state as follows:

1. I am a Drug Enforcement Administration (DEA) Task Force Officer (TFO), and I have been a commissioned Police Officer of the Conway Police Department, in Conway, Arkansas, since September 6, 2004. As of June 9, 2009, I have been assigned to the Narcotics Division of the Conway Police Department. I have been a DEA TFO since January 16, 2013. Prior to being a TFO, I participated in several federal narcotics investigations, including being the local case agent in a long term methamphetamine conspiracy investigation called "Pied Piper." I have attended training at the Criminal Justice Institute (CJI) in Little Rock in warrantless search and seizure, street narcotics, ecstasy, raves and club drugs. I have completed a 48 hour Basic Narcotics Investigation class through the Regional Counterdrug Training Academy and Drug Enforcement Administration Task Force Officer Training in New Orleans, Louisiana. I am a certified law enforcement instructor and field training officer. In connection with my official duties, I investigate criminal violations of federal and state drug laws. I have been involved in numerous aspects of narcotics investigations, including, among other things, debriefing defendants, witnesses, and informants; conducting surveillance and undercover operations; executing search warrants; and analyzing documentary and physical evidence.

PURPOSE OF AFFIDAVIT

2. This Affidavit is made in support of a criminal Complaint against BURNETT SMITH for the offense of Possession With Intent to Distribute Oxymorphone aka Opana and Hydromorphone aka Dilaudid, Schedule II controlled substances, in violation of Title 21 United States Code § 841(a)(1).

3. The information contained in this affidavit is based upon information provided by other DEA special agents, other federal, state and local law enforcement officers, public source documents, and my own personal investigation.

4. The information contained in this affidavit is submitted for the sole purpose of establishing probable cause for the Complaint mentioned herein. As a result, it does not contain every fact known to me concerning this investigation.

STATEMENT OF PROBABLE CAUSE

5. In 2011, the DEA Little Rock District Office (LRDO), in cooperation with Conway Police Department (CPD) Narcotics unit, identified Jeremy BURTON and other co-conspirators involved in unregulated prescription pill and controlled substances distribution in Faulkner, Pulaski, White, and Van Buren Counties in Central Arkansas. Specifically, BURTON has been identified in the distribution of Oxycodone, Oxymorphone, and Hydromorphone. On January 18, 2013, Conway Police and the FBI conducted an interview with a source of information (SOI). SOI stated he/she has been purchasing prescription narcotics from BURTON for at least three years. Among BURTON'S many sources of supply, SOI identified Burnett SMITH as a primary source for prescription narcotics. Approximately one year prior, SOI was present at SMITH'S (AKA: "SMITTY") residence in Mayflower, AR, when BURTON purchased a multi-hundred quantity of Opana (Oxymorphone) from SMITH. Approximately six months prior to this interview, SOI stated he/she was at SMITH'S residence and observed a (1) gallon zip-lock baggie half full of Opana 40mg.

6. On May 17, 20, 22, and 30, 2013, and June 3, 2013, a confidential informant under law enforcement direction and surveillance purchased Opana from SMITH at his residence and other locations. A search warrant for SMITH'S residence was obtained and was executed on June 11, 2013. During the execution of the search warrant, law enforcement located four firearms, including a defaced .357 magnum revolver in the defendant's bedroom, and approximately 17 Oxymorphone (Opana) tablets and 33 Hydromorphone (Dilaudid) tablets in two separate plastic

baggies behind a TV in an alternate bedroom. Digital scales and a pill cutter were located in the kitchen area.

CONCLUSION

7. Based upon the foregoing, your affiant believes that there is probable cause to believe that Burnett SMITH violated the following statute: Possession With Intent to Distribute Oxymorphone and Hydromorphone, Schedule II controlled substances, in violation of Title 21, United States Code, section 841(a)(1). Therefore, your affiant respectfully requests the issuance of this Criminal Complaint for Burnett SMITH.

FURTHER YOUR AFFIANT SAYETH NOT.

Chad Wilson
Task Force Officer
U.S. Drug Enforcement Administration
Little Rock District Office

Subscribed and sworn to me on this _____ day of June, 2013.

Hon. Joe J. Volpe
United States Magistrate Judge