



PRESS RELEASE

CONTACT: Elizabeth M. Martinez
Executive Assistant U.S. Attorney
Public Affairs Officer
elizabeth.martinez@usdoj.gov
505.224.1469

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**SEVEN MEMBERS OF LAS CRUCES-BASED PRESCRIPTION
DRUG TRAFFICKING RING FACING FEDERAL CHARGES**

ALBUQUERQUE – A federal grand jury has indicted seven residents of Las Cruces, N.M., on conspiracy and prescription drug trafficking charges, announced U.S. Attorney Kenneth J. Gonzales and Joseph M. Arabit, Special Agent in Charge of the El Paso Field Division of the DEA.

Michael Garret Schavier, 29, Juan Rubalcava, 39, Michael Frye, 24, Shane Smolik, 24, Carlos Teran, 29, Kyle Mendenhall, 19, and Kristopher Hollingshead, 23, are charged in a 14-count indictment that was filed by a federal grand jury in Las Cruces on Dec. 13, 2012. The indictment alleges that, between Dec. 2011 and May 2012, the defendants conspired to possess Oxycodone and Adderall with intent distribute in Dona Ana County, N.M. The indictment also charges members of the conspiracy with possession of Oxycodone and Adderall with intent to distribute.

According to the indictment, the defendants used fraudulent prescriptions to obtain Oxycodone, a painkiller, and Adderall, a stimulant, from pharmacies in Las Cruces and Alamogordo, N.M. The indictment alleges that, during a six-month period, the defendants fraudulently obtained an aggregate of 2,691 pills of Oxycodone (30 mg), 120 pills of Oxycodone (15 mg), and 390 pills of Adderall (30 mg), with the intention of unlawfully distributing the pills.

This morning, the DEA arrested Smolik, Teran and Frye based on the charges in the indictment. These defendants will make their initial appearances in federal court in Las Cruces on Dec. 17, 2012.

Schavier and Rubalcava previously were arrested on a related-criminal complaint in Sept. 2012. Schavier is on conditions of release pending trial while Rubalcava is detained pending trial based on findings that he poses a risk of flight. Schavier is scheduled to be arraigned on the indictment on Jan. 3, 2013. An arraignment hearing for Rubalcava has yet to be scheduled.

Mendenhall and Hollingshead are in state custody on unrelated charges. They will be transferred to federal court to face the charges in the indictment.

Connor Ian Smith, 20, an associate of the defendants, was charged in the criminal complaint against Schavier and Rubalcava. On Dec. 10, 2012, Smith entered a guilty plea to a criminal information charging him with conspiracy to possess of Oxycodone and Adderall with intent to distribute. Smith remains on conditions of release pending his sentencing hearing, which has yet to be scheduled.

All eight defendants face a maximum penalty of 20 years of imprisonment and a \$1,000,000 fine if convicted. Charges in indictments and criminal complaints are only accusations. All criminal defendants are presumed innocent unless proven guilty beyond a reasonable doubt.

These cases were investigated by the Tactical Diversion Squad of the El Paso Division of the DEA and the Alamogordo Department of Public Safety, and are being prosecuted by Assistant U.S. Attorney Jessica Cardenas Jarvis of the U.S. Attorney's Las Cruces Branch Office. The U.S. Marshals Service, U.S. Border Patrol, and Dona Ana County Sheriff's Office assisted in today's arrest operation.

DEA's Tactical Diversion Squads combine DEA resources with those of federal, state and local law enforcement agencies in an innovative effort to investigate, disrupt and dismantle those suspected of violating the Controlled Substances Act or other appropriate federal, state or local statutes pertaining to the diversion of licit pharmaceutical controlled substances or listed chemicals.

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