

Department of Justice

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BUFFALO MAN SENTENCED ON DRUG CONSPIRACY AND MONEY LAUNDERING CHARGES

BUFFALO, N.Y.--U.S. Attorney William J. Hochul, Jr. announced today that Derek Frank, 31, of Buffalo, N.Y., who was convicted of conspiracy to distribute 100 kilograms or more of marijuana and money laundering conspiracy, was sentenced to 135 months in prison and five years supervised released by U.S. District Judge Richard J. Arcara.

Assistant U.S. Attorney Mary Catherine Baumgarten, who handled the case, stated that between February 2008 and February 2011, the defendant traveled from Buffalo to Arizona to purchase marijuana. Frank then shipped the marijuana to various addresses in Buffalo, N.Y., or had individuals transport it in a concealed compartment in a pickup truck from Arizona to Buffalo. When the defendant remained in Arizona for longer periods of time, he arranged for other individuals in Buffalo to deposit the proceeds from his marijuana distribution into his bank account in Buffalo. Frank thereafter withdrew those funds from his account at a bank branch in Arizona, and used the funds to purchase more marijuana.

In furtherance of his drug related activities, Frank arranged to have Tinisha Tucker Anthony, a former US Airways employee, and Regina McCullen, a former employee in the City of Buffalo Clerk's Office, assist him in flying under an assumed identity between Buffalo and Arizona. Tinisha Tucker Anthony arranged for a birth certificate card to be issued by the City of Buffalo which contained the fingerprints and photograph of Derek Frank, and the name of another person. In addition, Anthony used her position as a customer service representative for U.S. Airways at the Raleigh-Durham Airport to arrange for Derek Frank to fly between Buffalo and Arizona, using the birth certificate card in the name of another. Regina McCullen used her official position as a Customer Assistant in the Clerk's Office to illegally produce the birth certificate card.

The defendant also arranged to have Minnetta Walker, a Behavioral Detection Officer employed by the Department of Homeland Security, Transportation Security Administration (TSA), assist him in his drug-trafficking operation. Walker allowed Frank to bypass normal security procedures, measures, and requirements at the Buffalo Niagara International Airport. This included bypassing functions performed by a TSA screener or Ticket Document Checker to examine persons, property and other articles entering aircraft and the airport area at the BNIA. TSA is an agency responsible for ensuring passenger safety and national security as it relates to the country's air transportation system.

Minnetta Walker pleaded guilty to conspiracy to defraud the United States and was sentenced to 24 months in prison in January 2012. Tinisha Tucker-Anthony and Regina McCullen each pleaded guilty to conspiracy to commit fraud in connection with identification documents. Anthony and McCullen were both sentenced to probation. Miguel Guzman, who was also convicted of narcotic conspiracy charges in connection with this case, was sentenced to probation. David North, Sr., who drove marijuana from Phoenix to Buffalo on Frank's behalf, has pleaded guilty to conspiracy to possess with intent to distribute marijuana and is awaiting sentencing.

“This case demonstrates that the tentacles of a narcotics trafficking operation infiltrate many legitimate businesses, and in some cases, the most sensitive Government operations,” said U.S. Attorney Hochul. “This prosecution further proves that no matter how smart a criminal thinks he or she is, and no matter the position they may hold, all get caught sooner or later. We will continue to work closely with all of our law enforcement partners in order to protect the public.”

The sentencing is part of an investigation by Special Agents of the Federal Bureau of Investigation, under the direction of Special Agent in Charge Christopher M. Piehota; Transportation Safety Administration, U.S. Department of Homeland Security, under the direction of Federal Security Director, Derek DePietro; U.S. Immigration and Customs Enforcement, under the direction of James C. Spero; U.S. Drug Enforcement Administration, under the direction of Wilbert L. Plummer, Acting Special Agent in Charge, New York Field Division; and NFTA Transit Police, under the direction of Chief George Gast.

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