

FILED

2020 MAY 20 PM 5:36

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

JUSTIN CASE LEBARRON,
BRITTNEY MICHELLE SMITH,
VINCENT SANCHEZ,
MICHAEL PHELPS, and
KRYSTIN HORNER

8:20-cr-156-T-33CPT
CASE NO.

21 U.S.C. § 846
21 U.S.C. § 841
18 U.S.C. § 3

INDICTMENT

The Grand Jury charges:

COUNT ONE
(Drug Trafficking Conspiracy Resulting in Death)

Beginning on an unknown date, and continuing through on or about
March 5, 2020, in the Middle District of Florida, and elsewhere, the
defendants,

JUSTIN CASE LEBARRON, and
BRITTNEY MICHELLE SMITH,

did knowingly and intentionally conspire with other persons, both known and
unknown to the Grand Jury, to distribute and possess with intent to distribute
controlled substances, the use of which resulted in the death of J.B. from such
substance, which violation involved a mixture and substance containing

detectable amounts of fentanyl and methamphetamine, and is therefore punished under 21 U.S.C. § 841 (b)(1)(C).

All in violation of 21 U.S.C. § 846.

COUNT TWO
(Possession With Intent to Distribute and Distribution Resulting in Death)

On or about January 7, 2020, in the Middle District of Florida, the defendants,

JUSTIN CASE LEBARRON, and
BRITTNEY MICHELLE SMITH,

did knowingly and intentionally possess with intent to distribute and did distribute a controlled substance, the use of which resulted in the death of J.B. from such substance, which violation involved a quantity of a mixture and substance containing detectable amounts of fentanyl and methamphetamine, and is therefore punished under 21 U.S.C. § 841(b)(1)(C).

All in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C) and 18 U.S.C. § 2.

COUNT THREE
**(Accessory After the Fact to Conspiracy and
Distribution Resulting in Death)**

On or about January 7, 2020, in the Middle District of Florida, the defendant,

VINCENT SANCHEZ,
MICHAEL PHELPS, and
KRYSTIN HORNER,

knowing that an offense against the United States had been committed by JUSTIN CASE LEBARRON, BRITTNEY MICHELLE SMITH, and others, that is, Drug Trafficking Conspiracy Resulting in Death, as charged in Count One of this Indictment, and Distribution of Controlled Substances Resulting in Death, as charged in Count Two of this Indictment, which Counts are realleged and incorporated by reference as though fully set forth herein, did receive, relieve, comfort, and assist the offenders, JUSTIN CASE LEBARRON, BRITTNEY MICHELLE SMITH, and others, in order to hinder and prevent the offenders' apprehension, trial, and punishment.

In violation of 18 U.S.C. § 3.

COUNT FOUR
(Possession of Fentanyl With Intent to Distribute)

On or about March 5, 2020, in the Middle District of Florida, the defendant,

JUSTIN CASE LEBARRON,

did knowingly and intentionally possess with intent to distribute a controlled substance, which violation involved a quantity of a mixture and substance containing a detectable amount of fentanyl, and is therefore punished under 21 U.S.C. § 841(b)(1)(C).

All in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C).

COUNT FIVE
(Maintaining a Drug-Involved Premises)

Beginning on an unknown date, no later than on or about December 26, 2019, and continuing until on or about March 5, 2020, at 5631 Leisure Lane, New Port Richey, Florida 34652, in the Middle District of Florida, the defendants,

JUSTIN CASE LEBARRON, and
BRITTNEY MICHELLE SMITH,

knowingly used and maintained a place for the purpose of distributing controlled substances. The violation involved mixtures and substances containing detectable amounts of fentanyl and methamphetamine, both Schedule II controlled substances.

In violation of 21 U.S.C. § 856(a)(1).

FORFEITURES

1. The allegations contained in Counts One, Two, Four and Five of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture under 21 U.S.C. § 853.

2. Upon conviction of a violation of 21 U.S.C. §§ 846, 841 and/or 856, the defendants,

JUSTIN CASE LEBARRON, and
BRITTNEY MICHELLE SMITH,

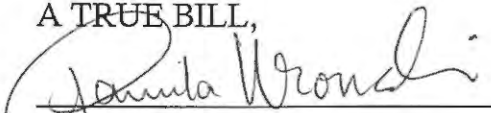
shall forfeit to the United States, pursuant to 21 U.S.C. §§ 853(a)(1) and (2), any property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such violation, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

3. If any of the property described above, 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 party;
- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; or
- e. Has been comingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property under 21 U.S.C. § 853(p).

A TRUE BILL,



Foreperson

MARIA CHAPA LOPEZ
United States Attorney

By:


Daniel M. Baeza
Assistant United States Attorney

By:


Joseph K. Ruddy
Assistant United States Attorney
Chief, Transnational Organized Crime Section

FORM OBD-34

May 20

No.

UNITED STATES DISTRICT COURT
Middle District of Florida
Tampa Division

THE UNITED STATES OF AMERICA

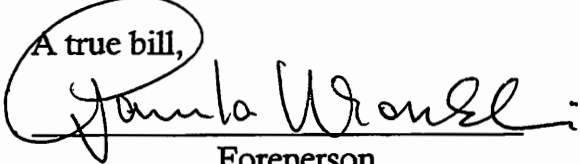
vs.

Justin Case Lebarron,
Brittney Michelle Smith,
Vincent Sanchez,
Michael Phelps, and
Krystin Horner

INDICTMENT

Violations: 21 U.S.C. § 846
21 U.S.C. § 841
18 U.S.C. § 3

A true bill,


Foreperson

Filed in open court this 20th day of May 2020.

Clerk

Bail \$ _____
