

FILEDUNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

OCT 03 2017

JH

FOR THE DISTRICT OF NEW MEXICO

MATTHEW J. DYKMAN
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANIEL P. BRUTON,
MARCOS A. MARTINEZ,
JERRY O. TWADDLE,
ETHEN G. WATTS,
 a.k.a. "Skuttles,"
KENNETH R. DICKERSON,
ROBERT C. PONCE,
ERICK L. MIRANDA-SANTOS,
 a.k.a. Erick Saenz,
LINDA M. WATTS,
ISELA HERNANDEZ, and
CHELCEY A. VASQUEZ,

Defendants.

CRIMINAL NO. 17-2690 RB

Count 1: 21 U.S.C. § 846: Conspiracy;

Counts 2, 3, and 25: 21 U.S.C.
 §§ 841(a)(1) and (b)(1)(C): Distribution
 of a Mixture and Substance Containing
 Methamphetamine; 18 U.S.C. § 2:
 Aiding and Abetting;

Counts 4 and 5: 21 U.S.C. §§ 841(a)(1)
 and (b)(1)(B): Distribution of 50 Grams
 and More of a Mixture and Substance
 Containing Methamphetamine; 18 U.S.C.
 § 2: Aiding and Abetting;

Counts 6, 7, 10-12, 14, 17, 19, 22, 24, 28-
 29, and 32: 21 U.S.C. § 843(b): Use of a
 Communication Facility to Further the
 Commission of a Drug Trafficking
 Crime;

Counts 8, 16, 18, 23, 26: 21 U.S.C. §§
 841(a)(1) and (b)(1)(B): Possession With
 Intent to Distribute 50 Grams and More
 of a Mixture and Substance Containing
 Methamphetamine; 18 U.S.C. § 2: Aiding
 and Abetting;

Counts 9 and 20: 21 U.S.C. §§ 841(a)(1)
 and (b)(1)(C): Possession With Intent to
 Distribute a Mixture and Substance
 Containing Methamphetamine; 18 U.S.C.
 § 2: Aiding and Abetting;

Counts 13 and 21: 18 U.S.C. § 922(g)(1):
 Felon in Possession of Firearms and
 Ammunition;

-) Counts 15 and 31: 21 U.S.C.
-) §§ 841(a)(1) and (b)(1)(A): Possession
-) With Intent to Distribute 500 Grams and
-) More of a Mixture and Substance
-) Containing Methamphetamine; 18
-) U.S.C. § 2: Aiding and Abetting;
-)
-) Count 27: 18 U.S.C. § 924(c): Carrying a
-) Firearm During and in Relation to a Drug
-) Trafficking Crime, and Possessing a
-) Firearm in Furtherance of Such Crime;
-)
-) Count 30: 21 U.S.C. §§ 841(a)(1)
-) and (b)(1)(A): Distribution of 500 Grams
-) and More of a Mixture and Substance
-) Containing Methamphetamine; 18
-) U.S.C. § 2: Aiding and Abetting;
-)
-) Count 33: 21 U.S.C. § 846: Attempt;
-)
-) Count 34: 18 U.S.C. § 554: Smuggling
-) Goods from the United States, and 18
-) U.S.C. § 2: Aiding and Abetting.

INDICTMENT

The Grand Jury charges:

Count 1

From on or about May 8, 2017, and continuing to on or about October 3, 2017, in Eddy and Chaves Counties, in the District of New Mexico and elsewhere, the defendants, **DANIEL P. BRUTON, MARCOS A. MARTINEZ, JERRY O. TWADDLE, ETHEN G. WATTS, a.k.a. "Skuttles," KENNETH R. DICKERSON, ROBERT C. PONCE, ERICK L. MIRANDA-SANTOS, a.k.a. Erick Saenz, LINDA M. WATTS, ISELA HERNANDEZ, and CHELCY A. VASQUEZ**, unlawfully, knowingly, and intentionally combined, conspired, confederated, agreed, and acted interdependently with each other and with other persons whose names are known and

unknown to the Grand Jury to commit an offense defined in 21 U.S.C. §§ 841(a)(1), specifically, distribution of a mixture and substance containing a detectable amount of methamphetamine.

Quantity of Methamphetamine Involved in the Conspiracy

With respect to **DANIEL P. BRUTON, MARCOS A. MARTINEZ, JERRY O. TWADDLE, ETHEN G. WATTS, a.k.a. "Skuttles," and ISELA HERNANDEZ**, the amount involved in the conspiracy attributable to them as a result of their own conduct, and the conduct of other conspirators reasonably foreseeable to them, is 500 grams and more of a mixture and substance containing a detectable amount of methamphetamine, contrary to 21 U.S.C. § 841(b)(1)(A).

With respect to **KENNETH R. DICKERSON, ROBERT C. PONCE, and ERICK L. MIRANDA-SANTOS, a.k.a. Erick Saenz**, the amount involved in the conspiracy attributable to them as a result of their own conduct, and the conduct of other conspirators reasonably foreseeable to them, is 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine, contrary to 21 U.S.C. § 841(b)(1)(B).

Overt Acts

In furtherance of the conspiracy, and to accomplish the objectives of the conspiracy, the following acts, among others, were committed:

Overt Act One

On May 8, 2017, Ethen G. Watts and Linda M. Watts sold approximately one ounce of methamphetamine to an individual working with law enforcement agents in exchange for \$700.

Overt Act Two

On May 18, 2017, Linda M. Watts sold approximately an ounce of methamphetamine to an individual working with law enforcement agents in exchange for \$850.

Overt Act Three

On May 23, 2017, Marcos A. Martinez delivered a quantity of methamphetamine to Ethen G. Watts at Ethen G. Watts' residence.

Overt Act Four

On May 23, 2017, Ethen G. Watts sold four ounces of the methamphetamine that Marcos A. Martinez had delivered to Ethen G. Watts to an individual working with law enforcement agents in exchange for \$2,400.

Overt Act Five

On June 2, 2017, Ethen G. Watts, in the presence of Linda M. Watts, told an individual working with law enforcement agents that he had just received a shipment of ten pounds of methamphetamine, and he asked the individual to help sell the methamphetamine.

Overt Act Six

On June 6, 2017, Ethen G. Watts sold one pound of methamphetamine to an individual working with law enforcement agents in exchange for \$6,500.

Overt Act Seven

On July 12, 2017, Daniel P. Bruton sent Ethen G. Watts a text message asking if Ethen G. Watts wanted to purchase a pound of methamphetamine for \$5,000, and Ethen G. Watts responded by telling Daniel P. Bruton to go to Ethen G. Watts' house.

Overt Act Eight

On July 13, 2017, Ethen G. Watts exchanged text messages with another man asking how much methamphetamine Ethen G. Watts could purchase for \$4,000 and asking how much a pound of methamphetamine would cost.

Overt Act Nine

On July 13, 2017, Ethen G. Watts met with Daniel P. Bruton at the La Quinta Hotel in Carlsbad, New Mexico, purchased a pound of methamphetamine from Daniel P. Bruton, and gave Daniel P. Bruton \$4,000 in drug proceeds.

Overt Act Ten

On July 15, 2017, Daniel P. Bruton sent a text message to Ethen G. Watts saying that Daniel P. Bruton had approximately two pounds of methamphetamine remaining and asked if Ethen G. Watts wanted some of the methamphetamine before Daniel P. Bruton left town.

Overt Act Eleven

On July 15, 2017, Ethen G. Watts sent Daniel P. Bruton a text message saying that Ethen G. Watts was almost out of methamphetamine to sell and asking Daniel P. Bruton to go by Ethen G. Watts' house to drop off additional methamphetamine.

Overt Act Twelve

On July 15, 2017, Daniel P. Bruton dropped off methamphetamine at Ethen G. Watts' house.

Overt Act Thirteen

On July 17, 2017, Daniel P. Bruton sent Ethen G. Watts text messages asking if Ethen G. Watts wanted a whole pound of methamphetamine, a half-pound of methamphetamine, or three-quarters pound of methamphetamine, and Ethen G. Watts responded that he didn't know and that Daniel P. Bruton should go to Ethen G. Watts' house.

Overt Act Fourteen

On July 17, 2017, Ethen G. Watts told another man that he could not sell an ounce of methamphetamine for \$400 because he paid more than that for each ounce, and he offered to sell the man 21 grams of methamphetamine for the \$400.

Overt Act Fifteen

On July 20, 2017, Robert C. Ponce asked Ethen G. Watts if he wanted to pool money with a friend of Robert C. Ponce's in order to purchase methamphetamine, and Robert C. Ponce said Robert C. Ponce and Ethen G. Watts could get five or six ounces of methamphetamine from his friend for \$2,000.

Overt Act Sixteen

On July 20, 2017, Ethen G. Watts asked Daniel P. Bruton if he was close because Ethen G. Watts needed a pound and a half of methamphetamine, and Daniel P. Bruton said that he would bring the methamphetamine to Ethen G. Watts in a few minutes.

Overt Act Seventeen

On July 21, 2017, Daniel P. Bruton offered to sell Ethen G. Watts a pound of methamphetamine for \$5,700.

Overt Act Eighteen

On July 21, 2017, Ethen G. Watts told Daniel P. Bruton that he had an AR-15 assault rifle for sale and that he would sell the assault rifle to Daniel P. Bruton in exchange for methamphetamine or for \$1600.

Overt Act Nineteen

On July 21, 2017, Daniel P. Bruton told Ethen G. Watts that Daniel P. Bruton normally obtains five pounds of methamphetamine at a time and that he distributes those five pounds in five different cities.

Overt Act Twenty

On July 22, 2017, Ethen G. Watts gave a bag containing a Black Rain Ordinance SPEC 15, multi-caliber assault rifle and a loaded Taurus TCP semi-automatic .380 caliber handgun to

an individual cooperating with law enforcement agents and asked that individual to transport the guns for Ethen G. Watts.

Overt Act Twenty-One

On July 23, 2017, Ethen G. Watts asked Robert C. Ponce if he needed any methamphetamine, and Robert C. Ponce replied that he did need methamphetamine and that he had \$400 to purchase the methamphetamine.

Overt Act Twenty-Two

On July 24, 2017, Ethen G. Watts apologized to Marcos A. Martinez for the drug debt that he owed to Marcos A. Martinez, and the two discussed the possibility of working together again to sell methamphetamine.

Overt Act Twenty-Three

On July 24, 2017, Ethen G. Watts told Marcos A. Martinez that he had fully automatic guns which he could trade for methamphetamine, and Marcos A. Martinez told Ethen G. Watts that Marcos A. Martinez already had too many guns and that he needed to get rid of some of the guns.

Overt Act Twenty-Four

On July 24, 2017, Ethen G. Watts asked Daniel P. Bruton how much methamphetamine Ethen G. Watts could pick up from Daniel P. Bruton, and Daniel P. Bruton told Ethen G. Watts that Daniel P. Bruton had three pounds of methamphetamine in his possession.

Overt Act Twenty-Five

On July 27, 2017, Ethen G. Watts told Marcos A. Martinez that he had \$3,000, and Marcos A. Martinez agreed to sell Ethen G. Watts a pound of methamphetamine.

Overt Act Twenty-Six

On July 27, 2017, Marcos A. Martinez sold a pound of methamphetamine to Ethen G. Watts at a hotel in Roswell, New Mexico.

Overt Act Twenty-Seven

On July 27, 2017, Ethen G. Watts asked Kenneth R. Dickerson if Kenneth R. Dickerson needed methamphetamine, and Kenneth R. Dickerson responded that he needed at least three or four ounces of methamphetamine.

Overt Act Twenty-Eight

On July 27, 2017, Kenneth R. Dickerson traveled to Ethen G. Watts' residence, where Kenneth R. Dickerson picked up four ounces of methamphetamine from Ethen G. Watts.

Overt Act Twenty-Nine

On July 27, 2017, Ethen G. Watts told Jerry O. Twaddle that he had methamphetamine available if Jerry O. Twaddle needed some, and Jerry O. Twaddle responded that he did need methamphetamine.

Overt Act Thirty

On July 28, 2017, Robert C. Ponce was in possession of one ounce of methamphetamine and a gun in a vehicle, and he fled the scene when approached by the police.

Overt Act Thirty-One

On July 28, 2017, Marcos A. Martinez told Ethen G. Watts that he was on the way to Carlsbad, New Mexico to drop off two pounds of methamphetamine, and he asked Ethen G. Watts if he liked the methamphetamine that Marcos A. Martinez had delivered to him the previous day.

Overt Act Thirty-Two

On August 12, 2017, Marcos A. Martinez agreed to leave one-half pound of clear methamphetamine and a sample of blue methamphetamine for Erick L. Miranda-Santos with Erick L. Miranda-Santo's cousin.

Overt Act Thirty-Three

On August 12, 2017, Marcos A. Martinez left two ounces of clear methamphetamine and an ounce of blue methamphetamine for Erick L. Miranda-Santos with an individual that Erick L. Miranda-Santo said was his cousin.

Overt Act Thirty-Four

On August 12, 2017, Marcos A. Martinez talked to his methamphetamine source of supply in Mexico regarding money owed for methamphetamine and future shipments of methamphetamine.

Overt Act Thirty-Five

On August 16, 2017, Marcos A. Martinez asked another individual to trick Ethen G. Watts into meeting with the other individual to settle a drug debt that Ethen G. Watts owed to Marcos A. Martinez, and the other individual agreed to do so and to "take out" Ethen G. Watts.

Overt Act Thirty-Six

On August 16, 2017, Daniel P. Bruton sent a text message to another man asking if the man needed methamphetamine, and the other man replied that he desperately needed the methamphetamine because he had several customers waiting to purchase it.

Overt Act Thirty-Seven

On August 16, 2017, Daniel P. Bruton called another man and asked if the man needed methamphetamine and then agreed to deliver half a pound of methamphetamine to the man.

Overt Act Thirty-Eight

On August 16, 2017, Marcos A. Martinez exchanged text messages with Erick L. Miranda-Santos regarding the fact that Erick L. Miranda-Santos owed Marcos A. Martinez for the three ounces of methamphetamine that Marcos A. Martinez had delivered to Erick L. Miranda-Santos' cousin on August 12, 2017.

Overt Act Thirty-Nine

On August 23, 2017, Daniel P. Bruton told a woman that he had 8.1 grams of methamphetamine that he could provide to her.

Overt Act Forty

On August 23, 2017, Daniel P. Bruton met with a woman in the parking lot of the mall in Carlsbad, New Mexico, and provided her with approximately 8 grams of methamphetamine.

Overt Act Forty-One

On August 24, 2017, Erick L. Miranda-Santos asked Marcos A. Martinez how much Marcos A. Martinez would charge Erick L. Miranda-Santos for one-half pound of methamphetamine, for which Erick L. Miranda-Santos had a customer.

Overt Act Forty-Two

On August 24, 2017, Marcos A. Martinez told Erick L. Miranda-Santos that if the customer wanted half a pound of methamphetamine that he would sell it for \$4,000 and would add in an extra quarter-ounce of methamphetamine but that if the customer wanted to purchase at least two pounds of methamphetamine that he would only charge \$5,000 a pound.

Overt Act Forty-Three

On August 28, 2017, Daniel P. Bruton left Albuquerque, New Mexico, and headed toward Carlsbad, New Mexico while in possession of one pound of methamphetamine and six firearms, all of which were seized by police during a traffic stop.

Overt Act Forty-Four

On September 6, 2017, Marcos A. Martinez asked Isela Hernandez to leave two pounds of methamphetamine inside a vehicle parked at their residence so that Jerry O. Twaddle could pick up the methamphetamine and leave \$5,000 in its place.

Overt Act Forty-Five

On September 6, 2017, at the direction of Marcos A. Martinez, Isela Hernandez retrieved two pounds of methamphetamine from a hiding place in her residence and placed it inside a vehicle parked at their residence.

Overt Act Forty-Six

On September 6, 2017, Jerry O. Twaddle traveled from his home in Artesia, New Mexico, to the home of Marcos A. Martinez and Isela Hernandez in Roswell, New Mexico, where he picked up two pounds of methamphetamine from inside a vehicle and left \$5,000 in its place.

Overt Act Forty-Seven

On September 6, 2017, Isela Hernandez removed \$5,000 in drug proceeds from a vehicle parked outside her residence.

Overt Act Forty-Eight

On September 6, 2017, Jerry O. Twaddle threw two pounds of methamphetamine out the window of his vehicle as he was fleeing from the police in a high-speed chase.

Overt Act Forty-Nine

On September 13, 2017, Marcos A. Martinez had three firearms in his vehicle when he was stopped by the police.

Overt Act Fifty

On September 26, 2017, Chelcy A. Vasquez asked Marcos A. Martinez for one-half ounce of methamphetamine because she had customers waiting for the methamphetamine.

Overt Act Fifty-One

On September 26, 2017, Marcos A. Martinez agreed to sell Chelcy A. Vasquez one-half ounce of methamphetamine in exchange for \$280 and a gun.

Overt Act Fifty-Two

On September 26, 2017, Chelcy A. Vasquez was on her way to Marcos A. Martinez' residence when she was stopped by police with \$285 and a stolen gun in her possession.

Overt Act Fifty-Three

On September 28, 2017, Marcos A. Martinez agreed to provide a pound of methamphetamine to a female.

Overt Act Fifty-Four

On October 1, 2017, Marcos A. Martinez agreed with another man to provide guns that would be illegally smuggled from the United States to Mexico.

Overt Act Fifty-Five

On October 1, 2017, Marcos A. Martinez traveled from Roswell, New Mexico en route to Albuquerque, New Mexico, with four AR-15 assault rifles, which he intended to illegally smuggle from the United States to Mexico.

In violation of 21 U.S.C. § 846.

Count 2

On or about May 8, 2017, in Eddy County, in the District of New Mexico, the defendants, **ETHEN G. WATTS, a.k.a. "Skuttles,"** and **LINDA M. WATTS,** unlawfully,

knowingly and intentionally distributed a controlled substance, a mixture and substance containing a detectable amount of methamphetamine.

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

Count 3

On or about May 18, 2017, in Eddy County, in the District of New Mexico, the defendant, **LINDA WATTS**, unlawfully, knowingly and intentionally distributed a controlled substance, a mixture and substance containing a detectable amount of methamphetamine.

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

Count 4

On or about May 23, 2017, in Eddy County, in the District of New Mexico, the defendant, **ETHEN G. WATTS, a.k.a. "Skuttles,"** unlawfully, knowingly and intentionally distributed a controlled substance, 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine.

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

Count 5

On or about June 6, 2017, in Eddy County, in the District of New Mexico, the defendant, **ETHEN G. WATTS, a.k.a. "Skuttles,"** unlawfully, knowingly and intentionally distributed a controlled substance, 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine.

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

Count 6

On or about July 12, 2017, in Eddy County, in the District of New Mexico, the defendants, **DANIEL P. BRUTON** and **ETHEN G. WATTS, a.k.a. "Skuttles,"** unlawfully, knowingly and intentionally used a communication facility, a telephone, to further the

commission of a drug trafficking crime, namely, conspiracy to distribute a controlled substance, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b).

Count 7

On or about July 13, 2017, in Eddy County, in the District of New Mexico, the defendant, **ETHEN G. WATTS, a.k.a. "Skuttles,"** unlawfully, knowingly and intentionally used a communication facility, a telephone, to further the commission of a drug trafficking crime, namely, conspiracy to distribute a controlled substance, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b).

Count 8

On or about July 13, 2017, in Eddy County, in the District of New Mexico, the defendants, **DANIEL P. BRUTON** and **ETHEN G. WATTS, a.k.a. "Skuttles,"** unlawfully, knowingly and intentionally possessed with intent to distribute a controlled substance, 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine.

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

Count 9

On or about July 15, 2017, in Eddy County, in the District of New Mexico, the defendants, **DANIEL P. BRUTON** and **ETHEN G. WATTS, a.k.a. "Skuttles,"** unlawfully, knowingly and intentionally possessed with intent to distribute a controlled substance, a mixture and substance containing a detectable amount of methamphetamine.

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

Count 10

On or about July 17, 2017, in Eddy County, in the District of New Mexico, the defendants, **DANIEL P. BRUTON** and **ETHEN G. WATTS, a.k.a. "Skuttles,"** unlawfully, knowingly and intentionally used a communication facility, a telephone, to further the commission of a drug trafficking crime, namely, conspiracy to distribute a controlled substance, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b).

Count 11

On or about July 20, 2017, in Eddy County, in the District of New Mexico, the defendants, **ETHEN G. WATTS, a.k.a. "Skuttles,"** and **ROBERT C. PONCE,** unlawfully, knowingly and intentionally used a communication facility, a telephone, to further the commission of a drug trafficking crime, namely, conspiracy to distribute a controlled substance, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b).

Count 12

On or about July 20, 2017, in Eddy County, in the District of New Mexico, the defendants, **ETHEN G. WATTS, a.k.a. "Skuttles,"** and **DANIEL P. BRUTON,** unlawfully, knowingly and intentionally used a communication facility, a telephone, to further the commission of a drug trafficking crime, namely, conspiracy to distribute a controlled substance, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b).

Count 13

On or about July 22, 2017, in Eddy County, in the District of New Mexico, the defendant, **ETHEN G. WATTS, a.k.a. "Skuttles,"** having been convicted of at least one of the following

felony crimes punishable by imprisonment for a term exceeding one year: possession of a controlled substance (two counts), knowingly possessed, in and affecting commerce, firearms and ammunition.

In violation of 18 U.S.C. § 922(g)(1).

Count 14

On or about July 23, 2017, in Eddy County, in the District of New Mexico, the defendants, **ETHEN G. WATTS, a.k.a. "Skuttles,"** and **ROBERT C. PONCE**, unlawfully, knowingly and intentionally used a communication facility, a telephone, to further the commission of a drug trafficking crime, namely, conspiracy to distribute a controlled substance, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b).

Count 15

On or about July 24, 2017, in Eddy County, in the District of New Mexico, the defendant, **DANIEL P. BRUTON**, unlawfully, knowingly and intentionally possessed with intent to distribute a controlled substance, 500 grams and more of a mixture and substance containing a detectable amount of methamphetamine.

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

Count 16

On or about July 27, 2017, in Chaves County, in the District of New Mexico, the defendants, **MARCOS A. MARTINEZ** and **ETHEN G. WATTS, a.k.a. "Skuttles,"** unlawfully, knowingly and intentionally possessed with intent to distribute a controlled substance, 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine.

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

Count 17

On or about July 27, 2017, in Eddy County, in the District of New Mexico, the defendants, **ETHEN G. WATTS, a.k.a. "Skuttles,"** and **KENNETH R. DICKERSON,** unlawfully, knowingly and intentionally used a communication facility, a telephone, to further the commission of a drug trafficking crime, namely, conspiracy to distribute a controlled substance, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b).

Count 18

On or about July 27, 2017, in Eddy County, in the District of New Mexico, the defendants, **ETHEN G. WATTS, a.k.a. "Skuttles,"** and **KENNETH R. DICKERSON,** unlawfully, knowingly and intentionally possessed with intent to distribute a controlled substance, 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine.

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

Count 19

On or about July 27, 2017, in Eddy County, in the District of New Mexico, the defendants, **ETHEN G. WATTS, a.k.a. "Skuttles,"** and **JERRY O. TWADDLE,** unlawfully, knowingly and intentionally used a communication facility, a telephone, to further the commission of a drug trafficking crime, namely, conspiracy to distribute a controlled substance, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b).

Count 20

On or about July 28, 2017, in Eddy County, in the District of New Mexico, the defendant, **ROBERT C. PONCE,** unlawfully, knowingly and intentionally possessed with intent to

distribute a controlled substance, a mixture and substance containing a detectable amount of methamphetamine.

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

Count 21

On or about July 28, 2017, in Eddy County, in the District of New Mexico, the defendant, **ROBERT C. PONCE**, having been convicted of at least one of the following felony crimes punishable by imprisonment for a term exceeding one year:

- (1) possession of a controlled substance (two counts),
- (2) felon in possession of a firearm (two counts),
- (3) aggravated assault with a deadly weapon, and
- (4) forgery,

knowingly possessed, in and affecting commerce, firearms and ammunition.

In violation of 18 U.S.C. § 922(g)(1).

Count 22

On or about August 12, 2017, in Chaves County, in the District of New Mexico, the defendants, **MARCOS A. MARTINEZ** and **ERICK L. MIRANDA-SANTOS**, unlawfully, knowingly and intentionally used a communication facility, a telephone, to further the commission of a drug trafficking crime, namely, conspiracy to distribute a controlled substance, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b).

Count 23

On or about August 12, 2017, in Eddy County, in the District of New Mexico, the defendants, **MARCOS A. MARTINEZ** and **ERICK L. MIRANDA-SANTOS**, unlawfully, knowingly and intentionally possessed with intent to distribute a controlled substance, 50

grams and more of a mixture and substance containing a detectable amount of methamphetamine.

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

Count 24

On or about August 23, 2017, in Eddy County, in the District of New Mexico, the defendant, **DANIEL P. BRUTON**, unlawfully, knowingly and intentionally used a communication facility, a telephone, to further the commission of a drug trafficking crime, namely, conspiracy to distribute a controlled substance, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b).

Count 25

On or about August 23, 2017, in Eddy County, in the District of New Mexico, the defendant, **DANIEL P. BRUTON**, unlawfully, knowingly and intentionally distributed a controlled substance, a mixture and substance containing a detectable amount of methamphetamine.

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

Count 26

On or about August 28, 2017, in Chaves County, in the District of New Mexico, the defendant, **DANIEL P. BRUTON**, unlawfully, knowingly and intentionally possessed with intent to distribute a controlled substance, 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine.

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

Count 27

On or about August 28, 2017, in Chaves County, in the District of New Mexico, the defendant, **DANIEL P. BRUTON**, during and in relation to a drug trafficking crime for which

the defendant may be prosecuted in a court of the United States, specifically, possession with intent to distribute 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine as charged in Count 26 of this indictment, knowingly carried a firearm and in furtherance of such crime, possessed said firearm.

In violation of 18 U.S.C. § 924(c).

Count 28

On or about September 6, 2017, in Chaves County, in the District of New Mexico, the defendants, **MARCOS A. MARTINEZ** and **JERRY O. TWADDLE**, unlawfully, knowingly and intentionally used a communication facility, a telephone, to further the commission of a drug trafficking crime, namely, conspiracy to distribute a controlled substance, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b).

Count 29

On or about September 6, 2017, in Chaves County, in the District of New Mexico, the defendants, **MARCOS A. MARTINEZ** and **ISELA HERNANDEZ**, unlawfully, knowingly and intentionally used a communication facility, a telephone, to further the commission of a drug trafficking crime, namely, conspiracy to distribute a controlled substance, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b).

Count 30

On or about September 6, 2017, in Chaves County, in the District of New Mexico, the defendants, **MARCOS A. MARTINEZ** and **ISELA HERNANDEZ**, unlawfully, knowingly and intentionally distributed a controlled substance, 500 grams and more of a mixture and substance containing a detectable amount of methamphetamine.

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

Count 31

On or about September 6, 2017, in Chaves County, in the District of New Mexico, the defendant, **JERRY O. TWADDLE**, unlawfully, knowingly and intentionally possessed with intent to distribute a controlled substance, 500 grams and more of a mixture and substance containing a detectable amount of methamphetamine.

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

Count 32

On or about September 26, 2017, in Chaves County, in the District of New Mexico, the defendants, **MARCOS A. MARTINEZ** and **CHELKY A. VASQUEZ**, unlawfully, knowingly and intentionally used a communication facility, a telephone, to further the commission of a drug trafficking crime, namely, conspiracy to distribute a controlled substance, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b).

Count 33

On or about September 26, 2017, in Chaves County, in the District of New Mexico and elsewhere, the defendant, **CHELKY A. VASQUEZ**, unlawfully, knowingly, and intentionally attempted to commit an offense defined in 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), specifically, possession with intent to distribute a mixture and substance containing a detectable amount of methamphetamine.

In violation of 21 U.S.C. § 846.

Count 34

On or about October 1, 2017, in Santa Fe County, in the District of New Mexico, and elsewhere, the defendant, **MARCOS A. MARTINEZ**, knowingly and unlawfully received,

concealed, bought, sold, and facilitated the transportation, concealment, and sale of four AR-15 assault rifles, prior to exportation, knowing the same to be intended for exportation from the United States contrary to any law or regulation of the United States.

In violation of 18 U.S.C. § 554 and 18 U.S.C. § 2.

FORFEITURE ALLEGATIONS

Counts 1 through 33 of this indictment are incorporated as part of this section of the indictment as if fully re-alleged herein for the purpose of alleging forfeiture to the United States pursuant to 21 U.S.C. § 853.

Upon conviction of any offense in violation of 21 U.S.C. §§ 841 or 846, the defendants, **DANIEL P. BRUTON, MARCOS A. MARTINEZ, JERRY O. TWADDLE, ETHEN G. WATTS, a.k.a. "Skuttles," KENNETH R. DICKERSON, ROBERT C. PONCE, ERICK L. MIRANDA-SANTOS, a.k.a Erick Saenz, LINDA M. WATTS, ISELA HERNANDEZ, and CHELCY A. VASQUEZ**, shall forfeit to the United States pursuant to 21 U.S.C. § 853 any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of each offense for which the defendants are convicted, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offense(s) of conviction.

The property to be forfeited to the United States includes, but is not limited to, the following:

1. MONEY JUDGMENT

A sum of money representing the proceeds obtained, directly or indirectly, as a result of the offenses set forth in Counts 1 through 33.

2. SUBSTITUTE ASSETS

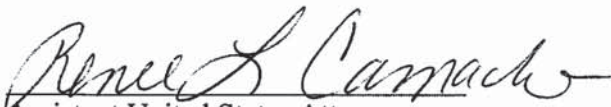
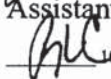
If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- 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 commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), 18 U.S.C. § 982(b), and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described above.

A TRUE BILL:

/s/
FOREPERSON OF THE GRAND JURY


Assistant United States Attorney
 10/02/17 12:28PM