

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

UNITED STATES OF AMERICA

-versus-

DEVANT PORCHER,

a/k/a "Dub"

MELINDA LEE LYNCH

WANDESHA SMALLS

) Criminal Number 2:19-cr-549

)

) 18 U.S.C. § 2

) 21 U.S.C. § 841(a)(1)

) 21 U.S.C. § 841(b)(1)(B)

) 21 U.S.C. § 841(b)(1)(C)

) 21 U.S.C. § 846

) 21 U.S.C. § 853

) 21 U.S.C. § 881

) 28 U.S.C. § 2461(c)

)

)

) **INDICTMENT**

) **(UNDER SEAL)**

COUNT 1


THE GRAND JURY CHARGES:

That beginning at a time unknown to the grand jury, but at least in or around March 2017, and continuing thereafter, up to and including the date of this Indictment, in the District of South Carolina and elsewhere, the Defendants, **DEVANT PORCHER, a/k/a "Dub,"**

MELINDA LEE LYNCH, and **WANDESHA SMALLS,** knowingly and intentionally did combine, conspire and agree and have tacit understanding with each other and others, both known and unknown to the grand jury, to possess with intent to distribute and distribute heroin, a Schedule I controlled substance, and methamphetamine, cocaine, and cocaine base (commonly known as "crack cocaine"), all Schedule II controlled substances:

- a. With respect to **DEVANT PORCHER a/k/a "Dub,"** the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 100 grams or more of a mixture and substance containing a detectable amount of heroin, 5

grams or more of methamphetamine, 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, and 28 grams or more of cocaine base (commonly referred to as “crack cocaine”), a quantity of cocaine, and a quantity of heroin, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B); and 841(b)(1)(C);

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- c. With respect to **MELINDA LEE LYNCH**, the amount involved in the conspiracy attributable to her as a result of her own conduct, and the conduct of other conspirators reasonably foreseeable to her, is 5 grams or more of methamphetamine and 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B);
 - d. With respect to **WANDESHA SMALLS**, the amount involved in the conspiracy attributable to her as a result of her own conduct, and the conduct of other conspirators reasonably foreseeable to her, is 5 grams or more of methamphetamine and 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, and a quantity of heroin, in violation of Title 21, United States Code, Sections 841(a)(1); 841(b)(1)(B); and 841(b)(1)(C);

All in violation of Title 21, United States Code, Section 846.

COUNT 2

THE GRAND JURY FURTHER CHARGES:

That on or about March 28, 2017, in the District of South Carolina, the Defendant, **DEVANT PORCHER, a/k/a “Dub,”** knowingly, intentionally and unlawfully did possess with intent to distribute and did distribute a quantity of cocaine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 3

THE GRAND JURY FURTHER CHARGES:

That on or about April 11, 2017, in the District of South Carolina, the Defendant, **DEVANT PORCHER, a/k/a "Dub,"** knowingly, intentionally and unlawfully did possess with intent to distribute and did distribute a quantity of cocaine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 4



COUNT 5

THE GRAND JURY FURTHER CHARGES:

That on or about March 16, 2018, in the District of South Carolina, the Defendant, **DEVANT PORCHER, a/k/a "Dub,"** knowingly, intentionally and unlawfully did possess with intent to distribute and did distribute a quantity of cocaine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 6

THE GRAND JURY FURTHER CHARGES:

That on or about April 3, 2018, in the District of South Carolina, the Defendant, **DEVANT PORCHER, a/k/a "Dub,"** knowingly, intentionally and unlawfully did attempt to possess with intent to distribute and did distribute 5 grams or more of methamphetamine and 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT 7

THE GRAND JURY FURTHER CHARGES:

That on or about April 11, 2018, in the District of South Carolina, the Defendant, **DEVANT PORCHER, a/k/a "Dub,"** knowingly, intentionally and unlawfully did attempt to possess with intent to distribute and did distribute 5 grams or more of methamphetamine and 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT 8

THE GRAND JURY FURTHER CHARGES:

That on or about May 18, 2018, in the District of South Carolina, the Defendant, the Defendant, **DEVANT PORCHER, a/k/a "Dub,"** knowingly, intentionally and unlawfully did attempt to possess with intent to distribute and did distribute 28 grams or more of cocaine base (commonly known as "crack cocaine"), a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT 9

THE GRAND JURY FURTHER CHARGES:

That on or about June 13, 2018, in the District of South Carolina, the Defendant, **DEVANT PORCHER, a/k/a "Dub,"** knowingly, intentionally and unlawfully did possess with intent to distribute and did distribute a quantity of heroin, a Schedule I controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 10

THE GRAND JURY FURTHER CHARGES:

That on or about July 2, 2018, in the District of South Carolina, the Defendant, **DEVANT PORCHER, a/k/a "Dub,"** knowingly, intentionally and unlawfully did possess with intent to distribute and did distribute a quantity of heroin, a Schedule I controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 11

THE GRAND JURY FURTHER CHARGES:

That on or about August 7, 2018, in the District of South Carolina, the Defendant, **DEVANT PORCHER, a/k/a "Dub,"** knowingly, intentionally and unlawfully did possess with intent to distribute and did distribute 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT 12

THE GRAND JURY FURTHER CHARGES:

That on or about August 29, 2018, in the District of South Carolina, the Defendant, **DEVANT PORCHER, a/k/a "Dub,"** knowingly, intentionally and unlawfully did possess with intent to distribute and did distribute 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT 13

THE GRAND JURY FURTHER CHARGES:

That on or about October 18, 2018, in the District of South Carolina, the Defendant, **DEVANT PORCHER, a/k/a "Dub,"** knowingly, intentionally and unlawfully did possess with intent to distribute and did distribute a quantity of heroin, a Schedule I controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 14

THE GRAND JURY FURTHER CHARGES:

That on or about November 2, 2018, in the District of South Carolina, the Defendants, **DEVANT PORCHER, a/k/a "Dub," MELINDA LEE LYNCH, and WANDESHA SMALLS,** as principals, as aiders and abettors and co-participants in jointly undertaken criminal activity, knowingly, intentionally and unlawfully did possess with intent to distribute and did distribute 5 grams or more of methamphetamine and 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B) and Title

18, United States Code, Section 2.

COUNT 15

THE GRAND JURY FURTHER CHARGES:

That on or about November 2, 2018, in the District of South Carolina, the Defendants, **DEVANT PORCHER, a/k/a "Dub," MELINDA LEE LYNCH, and WANDESHA SMALLS,** as principals, as aiders and abettors and co-participants in jointly undertaken criminal activity, knowingly, intentionally and unlawfully did possess with intent to distribute and did distribute a quantity of heroin, a Schedule I controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

FORFEITURE**DRUG OFFENSES:**

Upon conviction for one or more violation of Title 21, United States Code, as charged in this Indictment, the Defendants, **DEVANT PORCHER, a/k/a "Dub,"** [REDACTED]

[REDACTED] **MELINDA LEE LYNCH, and WANDESHA SMALLS,** shall forfeit to the United States all of the Defendants' right, title and interest in and to any property, real and personal,

- A. constituting or derived from any proceeds the Defendants obtained, directly or indirectly, as the result of such violations of Title 21, United States Code, and all property traceable to such property; or
- B. used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations of Title 21, United States Code.

PROPERTY:

Pursuant to Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c), the property which is subject to forfeiture upon conviction of the Defendants for offenses charged in this Indictment includes, but is not limited to, the following:

Proceeds/Forfeiture Judgment:

A sum of money equal to all property the Defendants obtained as a result of the drug offenses charged in the Indictment, and all interest and proceeds traceable thereto as a result for their violation of 21 U.S.C. §§ 841 and 846.

SUBSTITUTION OF ASSETS:

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the Defendants:

- A. cannot be located upon the exercise of due diligence;
- B. has been transferred or sold to, or deposited with, a third person;
- 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 subdivided without difficulty.

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any other property of the Defendants up to an amount equivalent to the value of the above-described forfeitable property;

Pursuant to Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c).

A True BILL





SHERRI A. LYDON (sk)
UNITED STATES ATTORNEY