United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SEALED
BY COURT ORDER

VENUE: Oakland

FILED
2014 MAY 22 P 12: 59
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

V.

JEREMY DONAGAL,
LAURENCE LINDBERG,
DUSTON KIRK,
ALICIA MITTS,
MICHAEL GONZALEZ,
THOMAS ELLIOTT,
MICHAEL TOMADA,
KENNETH KOSKINIEMI, and
CHRISTOPHER NEELY,

CR14-00285 JST

DEFENDANT.

INDICTMENT

21 U.S.C. § 846 – Conspiracy to Manufacture, Distribute, and Possess with Intent to Distribute a Controlled Substance; 21 U.S.C. § 841(a)(1) – Manufacture, Distribution, and Possession of a Controlled Substance with Intent to Distribute; 21 U.S.C. § 331(i)(3) – Sale of Counterfeit Drugs; 18 U.S.C. § 1956(a)(2)(A) – International Money Laundering; 18 U.S.C. § 1956(a)(2)(B)(ii) – International Money Laundering; 31 U.S.C. § 5324(a)(3) – Structuring; 21 U.S.C. § 853 – Drug Forfeiture; 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture; 31 U.S.C. § 5317 – Structuring Forfeiture

Foreman

Filed in open court this 22nd day of May, 2014

Clerk

Bail, $ no bail warrants for all defendants

MELINDA HAAG (CABN 132612)
United States Attorney

FILED

2014 MAY 22 P 12:59

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

UNITED STATES OF AMERICA, Plaintiff, v. JEREMY DONAGAL, a/k/a "Xanax King," a/k/a "XK," LAURENCE LINDBERG, DUSTON KIRK, ALICIA MITTS, MICHAEL GONZALEZ, THOMAS ELLIOTT, MICHAEL TOMADA, KENNETH KOSKINIEMI, and CHRISTOPHER NEELY, Defendants.	CASE NO. CR14-00285 JST VIOLATIONS: 21 U.S.C. § 846 – Conspiracy to Manufacture, Distribute, and Possess with Intent to Distribute a Controlled Substance; 21 U.S.C. § 841(a)(1) – Manufacture, Distribution, and Possession of a Controlled Substance with Intent to Distribute; 21 U.S.C. § 331(i)(3) – Sale of Counterfeit Drugs; 18 U.S.C. § 1956(a)(2)(A) – International Money Laundering; 18 U.S.C. § 1956(a)(2)(B)(ii) – International Money Laundering; 31 U.S.C. § 5324(a)(3) – Structuring; 21 U.S.C. § 853 – Drug Forfeiture; 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture; 31 U.S.C. § 5317 – Structuring Forfeiture OAKLAND VENUE

INDICTMENT

The Grand Jury Charges:

COUNT ONE: (21 U.S.C. § 846 – Conspiracy to Manufacture, Distribute, and Possess with Intent to Distribute Controlled Substances)

Beginning on a date unknown to the Grand Jury, and continuing to on or about May 22, 2014, in the Northern District of California, the defendants,

JEREMY DONAGAL,
LAURENCE LINDBERG,
DUSTON KIRK,
MICHAEL GONZALEZ,
THOMAS ELLIOTT, and
MICHAEL TOMADA,

and others known and unknown to the Grand Jury did knowingly and intentionally conspire to manufacture, to distribute, and to possess with intent to distribute controlled substances, to wit: alprazolam and others. All in violation of Title 21, United States Code, Sections 846, 841(a)(1), 841(b)(1)(C), and 841(b)(1)(E).

COUNT TWO: (21 U.S.C. § 846 – Conspiracy to Manufacture, Distribute, and Possess with Intent to Distribute Controlled Substances)

Beginning on a date unknown to the Grand Jury, and continuing to on or about January 9, 2014, in the Northern District of California, the defendants,

JEREMY DONAGAL and
CHRISTOPHER NEELY,

and others known and unknown to the Grand Jury did knowingly and intentionally conspire to manufacture, to distribute, and to possess with intent to distribute controlled substances, to wit: alprazolam and others. All in violation of Title 21, United States Code, Sections 846, 841(a)(1), 841(b)(1)(C), and 841(b)(1)(E).

COUNT THREE: (21 U.S.C. § 841(a)(1) – Manufacture, Distribution, and Possession with Intent to Distribute Controlled Substances)

Beginning on a date unknown to the Grand Jury, and continuing to on or about May 22, 2014, in the Northern District of California, the defendants,

JEREMY DONAGAL,
LAURENCE LINDBERG,
DUSTON KIRK,
MICHAEL GONZALEZ,
THOMAS ELLIOTT, and
MICHAEL TOMADA,

did knowingly and intentionally manufacture, distribute, and possess with intent to distribute controlled substances, to wit: alprazolam and others. All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and 841(b)(1)(E).

/

COUNT FOUR: (21 U.S.C. § 841(a)(1) – Possession with Intent to Distribute a Controlled Substance)

On or about April 29, 2014, in the Northern District of California, the defendants,

JEREMY DONAGAL and
KENNETH KOSKINIEMI,

did knowingly and intentionally possess with intent to distribute a controlled substance, to wit: alprazolam. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(E).

COUNT FIVE: (21 U.S.C. § 841(a)(1) – Possession with Intent to Distribute a Controlled Substance)

Beginning on a date unknown to the Grand Jury, and continuing to on or about January 9, 2014, in the Northern District of California, the defendants,

JEREMY DONAGAL and
CHRISTOPHER NEELY,

did knowingly and intentionally possess with intent to distribute a controlled substance, to wit: alprazolam. All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and 841(b)(1)(E).

COUNT SIX: (21 U.S.C. § 331(i)(3) – Sale of Counterfeit Drugs)

Beginning on a date unknown to the Grand Jury, and continuing to on or about May 22, 2014, in the Northern District of California, the defendant,

JEREMY DONAGAL,

did, with intent to defraud and mislead, and without the authorization of Pfizer, Inc., sell, dispense, and hold for sale and dispensing tablets of alprazolam embossed with the trademark "XANAX®" on one side and the number "2" on the reverse, said marks being the trademark of Pfizer, which drugs were not manufactured by or under the authorization of Pfizer, thereby causing the alprazolam tablets to be counterfeit drugs as defined at 21 U.S.C. § 321(g)(2). All in violation of Title 21, United States Code, Sections 331(i)(3) and 333(a)(2).

COUNT SEVEN: (18 U.S.C. § 1956(a)(1)(B)(ii) – International Money Laundering)

Beginning on or about February 28, 2014, and continuing to on or about April 24, 2014, in the Northern District of California, the defendants,

JEREMY DONAGAL and
DUSTON KIRK,

did transport, transmit, transfer, and attempt to transport, transmit, and transfer monetary instruments and funds, that is, Western Union wire transfers of United States currency, from a place in the United States, that is, the Northern District of California, to a place outside the United States, that is, China, knowing that the monetary instruments and funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation was designed in whole or in part to avoid a transaction reporting requirement under state and federal law. All in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(ii) and 2.

COUNT EIGHT: (18 U.S.C. § 1956(a)(2)(A) – International Money Laundering)

Beginning on or about October 23, 2013, and continuing to on or about December 28. 2013, in the Northern District of California, the defendants,

JEREMY DONAGAL and
CHRISTOPHER NEELY,

did transport, transmit, transfer, and attempt to transport, transmit, and transfer monetary instruments and funds, that is, Western Union wire transfers of United States currency, from a place in the United States, that is, the Northern District of California, to a place outside the United States, that is, China, with the intent to promote the carrying on of specified unlawful activity, that is, manufacturing, dispensing, and possessing with intent to distribute controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and 841(b)(1)(E) as charged in Count Five of this Indictment. All in violation of Title 18, United States Code, Sections 1956(a)(2)(A) and 2.

COUNTS NINE THROUGH ELEVEN: (31 U.S.C. § 5324(a)(3) – Structuring)

On or about the dates set forth below, in the Northern District of California, the defendants,

JEREMY DONAGAL,
DUSTON KIRK, and
ALICIA MITTS,

did knowingly and for the purpose of evading the reporting requirements of Section 5325 of Title 31, United States Code and the regulations promulgated thereunder, structure the following transactions with domestic financial institutions:

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Count	Date	Description
NINE	March 5, 2014	Five Western Union wire transfers, all to a recipient in Wuhan, China, for a total of $9,000. The wires were made at Cash 1 in Martinez, CA, at Check into Cash in Antioch, CA, at NorCal Financial Services in Antioch, CA, at We Cash 1 in Brentwood, CA, and at a Safeway store in Brentwood, CA. Each wire was for $1,800, and each was below the $3,000 reporting requirement for Western Union transactions.
TEN	March 17, 2014	Four Western Union wire transfers, all to a recipient in Huai'an City, China, for a total of $6,800. The wires were made at Quick Check Cashing in Brentwood, CA, at NorCal Financial Services in Antioch, CA, at Cash 1 in Martinez, CA, and at CA Check Cashing in Martinez, CA. Each wire was for $1,700, and each was below the $3,000 reporting requirement for Western Union transactions.
ELEVEN	April 23, 2014	Five Western Union wire transfers, all to a recipient in Hubei, China, for a total of $8,750. The wires were made at Quick Check Cashing in Brentwood, CA, at NorCal Financial Services in Antioch, CA, at CA Check Cashing in Martinez, CA, at Cash 1 in Martinez, CA, and at a Safeway store in Brentwood, CA. Each wire was for $1,750, and each was below the $3,000 reporting requirement for Western Union transactions.

All in violation of Title 31, United States Code, Section 5324(a)(3) and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION ONE: (21 U.S.C. § 853 – Drug Forfeiture)

1. The factual allegations contained in Counts One through Five of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to the provisions of Title 21, United States Code, Sections 853(a)(1) and (a)(2).

2. Upon a conviction of any of the offenses alleged in Counts One through Five, the defendants,

JEREMY DONAGAL,
LAURENCE LINDBERG,
DUSTON KIRK,
MICHAEL GONZALEZ,
THOMAS ELLIOT,

MICHAEL TOMADA,
KENNETH KOSKINIEMI, and
CHRISTOPHER NEELY,

shall forfeit to the United States all right, title, and interest in property constituting and derived from any proceeds defendant obtained, directly or indirectly, as a result of said violations, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violations, including, but not limited to:

a. 212 Loreto Court, Martinez, CA 94553, Contra Costa County Assessor's Parcel # (161-172-012-7);

b. 342 Kathleen Drive, Pleasant Hill, CA 94523, Contra Costa County Assessor's Parcel # (153-183-007); and

c. a dark blue / purple Harley Davidson Road King model motorcycle, registered to Michael Tomada, CA license plate number 18K4291.

3. If any of the property described above, 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 divided without difficulty;

any and all interest defendant has in any other property (not to exceed the value of the above forfeitable property) shall be forfeited to the United States pursuant to Title 21, United States Code, Section 853(p) as incorporated by Title 28, United States Code, Section 2461(c). All in violation of Title 21 United States Code, Sections 853(a)(1) and (a)(2) and pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

FORFEITURE ALLEGATION TWO: (18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture)

4. The allegations contained in Counts Seven and Eight of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(1).

5. Upon conviction of any offense in violation of Title 18, United States Code, Sections 1956(a)(2)(A) and 1956(a)(2)(B)(ii) as alleged in Counts Seven and Eight of the Indictment, the defendants,

JEREMY DONAGAL,
DUSTON KIRK, and
CHRISTOPHER NEELY,

shall forfeit to the United States of America any property, real or personal, involved in such offense, and any property traceable to such property. The property to be forfeited includes, but is not limited to, the following: $28,330 in Western Union wire transfers to China made from October 23, 2013, through December 28, 2013, and $52,120 in Western Union wire transfers made from February 28, 2014 through April 24, 2014.

6. If any of the property described above, 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 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;

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c). All in violation of Title 18, United States Code, Section 982(a)(1) and pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

<u>FORFEITURE ALLEGATION THREE</u>: (31 U.S.C. § 5317 – Structuring Forfeiture)

7. The allegations contained in Counts Nine through Eleven of the Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 31, United States Code, Section 5317.

8. Upon conviction of an offense in violation of Title 31, United States Code, Section 5324, as alleged in Counts Five through Eight in the Indictment, the defendants,

JEREMY DONAGAL,
DUSTON KIRK, and

ALICIA MITTS,

shall forfeit to the United States of America all property, real or personal, involved in the offenses and any property traceable to such property. The property to be forfeited includes, but is not limited to,

a. $9,000.00 in Western Union wire transfers made on or about March 5, 2014;

b. $6,800.00 in Western Union wire transfers made on or about March 17, 2014; and

c. $8,750.00 in Western Union wire transfers made on or about April 23, 2014.

9. If any of the property described above, 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 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,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 31, United States Code, Section 5317(c) and by Title 28, United States Code, Section 2461(c). All in violation of Title 31, United States Code, Section 5317 and pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

DATED: May 22, 2014

A TRUE BILL.

FOREPERSON

MELINDA HAAG
United States Attorney

J. Douglas Wilson

J. DOUGLAS WILSON (KB w/ permission)
Chief, Criminal Division

(Approved as to form: ______________)
AUSA BARRY

AO 257 (Rev. 6/78)

SEALED
BY COURT ORDER

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT ☐ SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

OFFENSE CHARGED

See Attachment

☐ Petty ☐ Minor ☐ Misde-meanor ☒ Felony

PENALTY: See Attachment

DEFENDANT - U.S

JEREMY DONAGAL

DISTRICT COURT NUMBER
CR14-00285

ORIGINAL FILED MAY 22 2014 RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND

JST

PROCEEDING

Name of Complaintant Agency, or Person (& Title, if any)

Drug Enforcement Administration

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of: ☐ U.S. ATTORNEY ☐ DEFENSE — SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant — MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form: MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned): Kevin Barry

DEFENDANT

IS *NOT* IN CUSTODY

1) ☒ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction — ☐ Federal ☐ State

6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No — If "Yes" give date filed

DATE OF ARREST — Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY — Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:
☐ Arraignment ☐ Initial Appearance

* *Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Defendant Address:

Date/Time: Before Judge:

Comments:

Attachment to Penalty Sheet
United States v. Jeremy Donagal
Indictment

Offenses Charged

Counts One and Two	21 U.S.C. § 846 – Conspiracy to Manufacture, Distribute, and Possess with Intent to Distribute a Controlled Substance
Counts Three, Four, and Five	21 U.S.C. § 841(a)(1) – Manufacture, Distribution, and Possession of a Controlled Substance with Intent to Distribute
Count Six	21 U.S.C. § 331(i)(3) – Sale of Counterfeit Drugs
Count Seven	18 U.S.C. § 1956(a)(2)(A) – International Money Laundering
Count Eight	18 U.S.C. § 1956(a)(2)(B)(ii) – International Money Laundering
Count Nine, Ten, and Eleven	31 U.S.C. § 5324(a)(3) – Structuring

Penalties

Counts One, Two, Three, Four, and Five	For Schedule I and II Controlled Substances (such as marijuana, GHB, MDMA, and oxycodone): 20 years' imprisonment; $1,000,000 fine; lifetime supervised release, with a minimum term of three years' supervised release; a $100 special assessment
	For Schedule III controlled substances (such as anabolic steroids): 10 years' imprisonment; $500,000 fine; lifetime supervised release, with a minimum term of two years' supervised release; a $100 special assessment
	For Schedule IV controlled substances (such as alprazolam): 5 years' imprisonment; $250,000 fine; lifetime supervised release, with a minimum term of one year of supervised release; a $100 special assessment
Count Six	3 years' imprisonment; $10,000 fine; one year of supervised release; $100 special assessment

Counts Seven and Eight	20 years' imprisonment; $500,000 fine, or twice the value of the property involved in the transaction; three years' supervised release; $100 special assessment
Count Nine, Ten, and Eleven	10 years' imprisonment; $500,000 fine; three years' supervised release; $100 special assessment

AO 257 (Rev. 6/78)

SEALED BY COURT ORDER

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT ☐ SUPERSEDING

OFFENSE CHARGED

See Attachment

☐ Petty
☐ Minor
☐ Misde-meanor
☒ Felony

PENALTY: See Attachment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

ORIGINAL FILED MAY 22 2014 RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND

DEFENDANT - U.S

LAURENCE LINDBERG

DISTRICT COURT NUMBER

CR14-00285 JST

PROCEEDING

Name of Complaintant Agency, or Person (& Title, if any)

Drug Enforcement Administration

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:
☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form: MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned): Kevin Barry

DEFENDANT

IS *NOT* IN CUSTODY

1) ☒ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction } ☐ Federal ☐ State

6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No } If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:
☐ Arraignment ☐ Initial Appearance

** Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Defendant Address:

Date/Time: Before Judge:

Comments:

Attachment to Penalty Sheet
United States v. Laurence Lindberg
Indictment

Offenses Charged

Count One	21 U.S.C. § 846 – Conspiracy to Manufacture, Distribute, and Possess with Intent to Distribute a Controlled Substance
Count Three	21 U.S.C. § 841(a)(1) – Manufacture, Distribution, and Possession of a Controlled Substance with Intent to Distribute

Penalties

Counts One and Three	For Schedule I and II Controlled Substances (such as marijuana, GHB, MDMA, and oxycodone): 20 years' imprisonment; $1,000,000 fine; lifetime supervised release, with a minimum term of three years' supervised release; a $100 special assessment For Schedule III controlled substances (such as anabolic steroids): 10 years' imprisonment; $500,000 fine; lifetime supervised release, with a minimum term of two years' supervised release; a $100 special assessment For Schedule IV controlled substances (such as alprazolam): 5 years' imprisonment; $250,000 fine; lifetime supervised release, with a minimum term of one year of supervised release; a $100 special assessment

AO 257 (Rev. 6/78)

SEALED BY COURT ORDER

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT ☐ SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location: NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

ORIGINAL FILED MAY 22 2014 RICHARD W. WIEKING CLERK U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND

OFFENSE CHARGED

See Attachment

☐ Petty ☐ Minor ☐ Misde-meanor ☒ Felony

PENALTY: See Attachment

DEFENDANT - U.S

DUSTON KIRK

DISTRICT COURT NUMBER: CR14-00285 JST

PROCEEDING

Name of Complaintant Agency, or Person (& Title, if any): Drug Enforcement Administration

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of: ☐ U.S. ATTORNEY ☐ DEFENSE — SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant — MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form: MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned): Kevin Barry

DEFENDANT

IS *NOT* IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1) ☒ If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction } ☐ Federal ☐ State

6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No } If "Yes" give date filed

DATE OF ARREST ▶ Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY ▶ Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

** Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Defendant Address:

Date/Time: Before Judge:

Comments:

Attachment to Penalty Sheet
United States v. Duston Kirk
Indictment

Offenses Charged

Count One	21 U.S.C. § 846 – Conspiracy to Manufacture, Distribute, and Possess with Intent to Distribute a Controlled Substance
Count Three	21 U.S.C. § 841(a)(1) – Manufacture, Distribution, and Possession of a Controlled Substance with Intent to Distribute
Count Seven	18 U.S.C. § 1956(a)(1)(B)(ii) – International Money Laundering
Counts Nine, Ten and Eleven	31 U.S.C. § 5324(a)(3) – Structuring

Penalties

Counts One and Three	For Schedule I and II Controlled Substances (such as marijuana, GHB, MDMA, and oxycodone): 20 years' imprisonment; \$1,000,000 fine; lifetime supervised release, with a minimum term of three years' supervised release; a \$100 special assessment
	For Schedule III controlled substances (such as anabolic steroids): 10 years' imprisonment; \$500,000 fine; lifetime supervised release, with a minimum term of two years' supervised release; a \$100 special assessment
	For Schedule IV controlled substances (such as alprazolam): 5 years' imprisonment; \$250,000 fine; lifetime supervised release, with a minimum term of one year of supervised release; a \$100 special assessment
Count Seven	20 years' imprisonment; \$500,000 fine, or twice the value of the property involved in the transaction; three years' supervised release; \$100 special assessment
Counts Nine, Ten, and Eleven	10 years' imprisonment; \$500,000 fine; three years' supervised release; \$100 special assessment

AO 257 (Rev. 6/78)

SEALED BY COURT ORDER

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT ☐ SUPERSEDING

OFFENSE CHARGED

31 U.S.C. § 5324(a)(3) – Structuring

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: 10 years' imprisonment; $500,000 fine; three years' supervised release; $100 special assessment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

ORIGINAL FILED MAY 22 20[illegible] RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND

DEFENDANT - U.S

ALICIA MITTS

DISTRICT COURT NUMBER

CR14-00285 JST

PROCEEDING

Name of Complaintant Agency, or Person (& Title, if any)

Drug Enforcement Administration

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of: ☐ U.S. ATTORNEY ☐ DEFENSE — SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant — MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form: MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned): Kevin Barry

DEFENDANT

IS *NOT* IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1) ☒ If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction } ☐ Federal ☐ State

6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No } If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

** Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Defendant Address:

Date/Time: Before Judge:

Comments:

SEALED BY COURT ORDER

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT ☐ SUPERSEDING

OFFENSE CHARGED

See Attachment

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: See Attachment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

ORIGINAL FILED MAY 22 2014 RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND

DEFENDANT - U.S

MICHAEL GONZALEZ

DISTRICT COURT NUMBER

CR14-00285 JST

PROCEEDING

Name of Complaintant Agency, or Person (& Title, if any)

Drug Enforcement Administration

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of: ☐ U.S. ATTORNEY ☐ DEFENSE — SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant — MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Kevin Barry

DEFENDANT

IS *NOT* IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1) ☒ If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction

6) ☐ Awaiting trial on other charges

} ☐ Federal ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No — If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

** Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Defendant Address:

Date/Time: Before Judge:

Comments:

Attachment to Penalty Sheet
<u>United States v. Michael Gonzalez</u>
Indictment

<u>Offenses Charged</u>

Count One	21 U.S.C. § 846 – Conspiracy to Manufacture, Distribute, and Possess with Intent to Distribute a Controlled Substance
Count Three	21 U.S.C. § 841(a)(1) – Manufacture, Distribution, and Possession of a Controlled Substance with Intent to Distribute

<u>Penalties</u>

Counts One and Three

For Schedule I and II Controlled Substances (such as marijuana, GHB, MDMA, and oxycodone): 20 years' imprisonment; $1,000,000 fine; lifetime supervised release, with a minimum term of three years' supervised release; a $100 special assessment

For Schedule III controlled substances (such as anabolic steroids): 10 years' imprisonment; $500,000 fine; lifetime supervised release, with a minimum term of two years' supervised release; a $100 special assessment

For Schedule IV controlled substances (such as alprazolam): 5 years' imprisonment; $250,000 fine; lifetime supervised release, with a minimum term of one year of supervised release; a $100 special assessment

AO 257 (Rev. 6/78)

SEALED
BY COURT ORDER

ORIGINAL
FILED
MAY 22 2014

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT ☐ SUPERSEDING

OFFENSE CHARGED

See Attachment

☐ Petty ☐ Minor ☐ Misdemeanor ☒ Felony

PENALTY: See Attachment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT - U.S

THOMAS ELLIOTT

DISTRICT COURT NUMBER

CR14-00285

JST

PROCEEDING

Name of Complaintant Agency, or Person (& Title, if any)

Drug Enforcement Administration

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of: ☐ U.S. ATTORNEY ☐ DEFENSE — SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant — MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form: MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned): Kevin Barry

DEFENDANT

IS *NOT* IN CUSTODY

1) ☒ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction } ☐ Federal ☐ State

6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No } If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

** Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Defendant Address:

Date/Time: Before Judge:

Comments:

Attachment to Penalty Sheet
United States v. Thomas Elliott
Indictment

Offenses Charged

Count One	21 U.S.C. § 846 – Conspiracy to Manufacture, Distribute, and Possess with Intent to Distribute a Controlled Substance
Count Three	21 U.S.C. § 841(a)(1) – Manufacture, Distribution, and Possession of a Controlled Substance with Intent to Distribute

Penalties

Counts One and Three	For Schedule I and II Controlled Substances (such as marijuana, GHB, MDMA, and oxycodone): 20 years' imprisonment; $1,000,000 fine; lifetime supervised release, with a minimum term of three years' supervised release; a $100 special assessment For Schedule III controlled substances (such as anabolic steroids): 10 years' imprisonment; $500,000 fine; lifetime supervised release, with a minimum term of two years' supervised release; a $100 special assessment For Schedule IV controlled substances (such as alprazolam): 5 years' imprisonment; $250,000 fine; lifetime supervised release, with a minimum term of one year of supervised release; a $100 special assessment

AO 257 (Rev. 6/78)

SEALED
BY COURT ORDER

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

ORIGINAL FILED MAY 22 2014 CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT ☐ SUPERSEDING

OFFENSE CHARGED

See Attachment

☐ Petty ☐ Minor ☐ Misde-meanor ☒ Felony

PENALTY: See Attachment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT - U.S

MICHAEL TOMADA

DISTRICT COURT NUMBER

CR14-00285

JST

PROCEEDING

Name of Complaintant Agency, or Person (& Title, if any)

Drug Enforcement Administration

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:
☐ U.S. ATTORNEY ☐ DEFENSE
SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under
MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on this form: MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned): Kevin Barry

DEFENDANT

IS *NOT* IN CUSTODY

1) ☒ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction } ☐ Federal ☐ State

6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No } If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

** Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Defendant Address:

Date/Time: Before Judge:

Comments:

Attachment to Penalty Sheet
<u>United States v. Michael Tomada</u>
Indictment

<u>Offenses Charged</u>

Count One	21 U.S.C. § 846 – Conspiracy to Manufacture, Distribute, and Possess with Intent to Distribute a Controlled Substance
Count Three	21 U.S.C. § 841(a)(1) – Manufacture, Distribution, and Possession of a Controlled Substance with Intent to Distribute

<u>Penalties</u>

Counts One and Three

For Schedule I and II Controlled Substances (such as marijuana, GHB, MDMA, and oxycodone): 20 years' imprisonment; $1,000,000 fine; lifetime supervised release, with a minimum term of three years' supervised release; a $100 special assessment

For Schedule III controlled substances (such as anabolic steroids): 10 years' imprisonment; $500,000 fine; lifetime supervised release, with a minimum term of two years' supervised release; a $100 special assessment

For Schedule IV controlled substances (such as alprazolam): 5 years' imprisonment; $250,000 fine; lifetime supervised release, with a minimum term of one year of supervised release; a $100 special assessment

AO 257 (Rev. 6/78)

SEALED
BY COURT ORDER

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT ☐ SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ORIGINAL FILED MAY 22 2014 RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND

OFFENSE CHARGED

21 U.S.C. § 841(a)(1) – Manufacture, Distribution, and Possession of a Controlled Substance with Intent to Distribute

☐ Petty
☐ Minor
☐ Misde-meanor
☒ Felony

PENALTY: 5 years' imprisonment; $250,000 fine; lifetime supervised release, with a minimum term of one year of supervised release; a $100 special assessment

DEFENDANT - U.S

KENNETH KOSKINIEMI

DISTRICT COURT NUMBER
CR14-00285

JST

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Drug Enforcement Administration

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:
☐ U.S. ATTORNEY ☐ DEFENSE
SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under
MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on this form: MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned): Kevin Barry

DEFENDANT

IS *NOT* IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1) ☒ If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction } ☐ Federal ☐ State

6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No } If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:
☐ Arraignment ☐ Initial Appearance

** Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Defendant Address:

Date/Time: Before Judge:

Comments:

AO 257 (Rev. 6/78)

SEALED BY COURT ORDER

ORIGINAL FILED APR 22 2014 RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT ☐ SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location: NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

OFFENSE CHARGED

See Attachment

☐ Petty ☐ Minor ☐ Misde-meanor ☒ Felony

PENALTY: See Attachment

DEFENDANT - U.S

CHRISTOPHER NEELY

DISTRICT COURT NUMBER

CR14-00285

JST

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Drug Enforcement Administration

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of: ☐ U.S. ATTORNEY ☐ DEFENSE — SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant — MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form: MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned): Kevin Barry

DEFENDANT

IS *NOT* IN CUSTODY

1) ☒ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction — ☐ Federal ☐ State

6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No — If "Yes" give date filed

DATE OF ARREST — Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY — Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

** Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Date/Time: Before Judge:

Comments:

Attachment to Penalty Sheet
United States v. Christopher Neely
Indictment

Offenses Charged

Count Five	21 U.S.C. § 846 – Conspiracy to Manufacture, Distribute, and Possess with Intent to Distribute a Controlled Substance
Count Eight	18 U.S.C. § 1956(a)(2)(A) – International Money Laundering

Penalties

Count Five	For Schedule I and II Controlled Substances (such as marijuana, GHB, MDMA, and oxycodone): 20 years' imprisonment; $1,000,000 fine; lifetime supervised release, with a minimum term of three years' supervised release; a $100 special assessment For Schedule III controlled substances (such as anabolic steroids): 10 years' imprisonment; $500,000 fine; lifetime supervised release, with a minimum term of two years' supervised release; a $100 special assessment For Schedule IV controlled substances (such as alprazolam): 5 years' imprisonment; $250,000 fine; lifetime supervised release, with a minimum term of one year of supervised release; a $100 special assessment
Count Eight	20 years' imprisonment; $500,000 fine, or twice the value of the property involved in the transaction; three years' supervised release; $100 special assessment

FILED

United States District Court
Northern District of California

SEALED
BY COURT ORDER

2014 MAY 22 P 12: 59

CRIMINAL COVER SHEET

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Instructions: Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

Case Name:

USA v. Donagal, et al.

Case Number:

CR14-00285 JST

Total Number of Defendants:

1 ☐ 2-7 ☐ 8 or more ☑

Is This Case Under Seal?

Yes ☑ No ☐

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes ☐ No ☑

Venue (Per Crim. L.R. 18-1):

SF ☐ **OAK** ☑ **SJ** ☐ **EUR** ☐ **MON** ☐

Is any defendant charged with a death-penalty-eligible crime?

Yes ☐ No ☑

Assigned AUSA (Lead Attorney):

Kevin J. Barry

Is this a RICO Act gang case?

Yes ☐ No ☑

Date Submitted:

May 22, 2014

Comments:

Save Print Clear Form