



PRESS RELEASE

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GRAND JURY IN WICHITA RETURNS INDICTMENTS

Wichita, Kan. – United States Attorney Eric Melgren announced that ten individuals were indicted Feb. 8, 2005, by a federal grand jury in Wichita, Kan. Those indicted include:

Barney Smith, 24; **Amanda J. Smith**, 28; and **Traci Drake**, 47, each of whom is charged with eight counts related to stealing personal financial information and counterfeiting checks. The crimes are alleged to have occurred during March through October 2004 in Sedgwick County, Kan.

The three defendants are charged with obtaining personal checking account numbers and using the information to create counterfeit personal checks and counterfeit driver's licenses, and defrauding merchants that accepted the counterfeit checks for payment. If convicted, each of them faces three counts that carry a maximum penalty of 10 years in prison and a \$250,000 fine; two counts that carry a maximum penalty of 15 years in prison and a \$250,000 fine; and four counts that carry a mandatory two-year sentence to run consecutively to any other sentence and a fine up to \$250,000.

The case was investigated by the U.S. Postal Inspection Service. Assistant U.S. Attorney Brent Anderson is prosecuting.

Axel Gavin Amavizca, 22, Green Valley, Ariz., who is charged with possessing 290 pounds of marijuana on Nov. 15, 2004, in Thomas County, Kan.

If convicted, he faces a maximum sentence of not less than five years and not more than 40 years in federal prison and a fine up to \$2 million. The case was investigated by the Drug Enforcement Administration. Assistant U.S. Attorney Blair Watson is prosecuting.

Ronnie Austin, 28, who is charged with one count of distributing 50 grams or more of crack cocaine on Dec. 14, 2004, in Wichita, Kan.; and one count of distributing 50 grams or more of crack cocaine on Dec. 28, 2004, in Wichita, Kan.

If convicted, he faces a maximum penalty of not less than 10 years and not more than life and a fine up to \$4 million on each count. The case was investigated by the Wichita Police Department. Assistant U.S. Attorney Blair Watson is prosecuting.

Henry D. Clark, 34, who is charged with distributing approximately 50 grams of crack cocaine on Dec. 14, 2004, in Wichita, Kan.

If convicted, he faces not less than five years and not more than 40 years in federal prison, as well as a fine up to \$2 million. The case was investigated by the Wichita Police Department. Assistant U.S. Attorney Blair

Watson is prosecuting.

Jose Vargas-Flores, who is not a citizen of the United States, and who is charged with five counts including: one count of being an illegal alien in possession of a firearm and ammunition; one count of making a false statement to U.S. Marshals and special agents of Customs and Immigration Enforcement; two counts of using a false identification to commit a crime; and one count of misusing of a Social Security number. According to the indictment, the violations occurred Nov. 28 and Nov. 30, 2004 in Sedgwick County, Kan.

If convicted, he faces maximum penalties of 10 years in federal prison without parole and a \$250,000 fine on the firearm charge; five years in federal prison without parole and a \$250,000 fine on the false statement charge; two years in federal prison to run consecutively to any other sentence, and a \$250,000 fine, on the false identification charge; and five years in federal prison without parole and a \$250,000 fine on the charge of misusing a Social Security number.

The case was investigated by Immigration and Customs Enforcement and the U.S. Marshals Service. Assistant U.S. Attorney Brent Anderson is prosecuting.

Alton Silversen, 28, Wichita, Kan., who is charged with three counts involving firearms including: one count of illegally possessing a firearm in furtherance of a drug trafficking crime; one count of illegally possessing a firearm after being convicted of a felony; and one count of illegally possessing ammunition after a felony conviction. According to the indictment, the offenses occurred Jan. 9, 2005, in Sedgwick County, Kan.

If convicted, he faces a maximum penalty of life in federal prison and a \$250,000 fine on the count of possessing a firearm in furtherance of a drug trafficking crime; and up to 10 years in prison and a \$250,000 fine on each of the two other counts. The case was investigated by the Bureau of Alcohol, Tobacco, Firearms and Explosives. Assistant U.S. Attorney Matt Treaster is prosecuting.

Eduardo Zaragoza, 22, Emporia, Kan., who is charged with one count of illegally possessing a firearm after having been convicted of felony burglary and forgery. The firearm violation is alleged to have occurred Oct. 10, 2004, in Lyon County, Kan.

If convicted, he faces a maximum penalty of 10 years in federal prison and a fine up to \$250,000. The Bureau of Alcohol, Tobacco, Firearms and Explosives and the Emporia Police Department investigated the case. Assistant U.S. Attorney Randy Hendershot is prosecuting.

Amy J. Lenertz, 34, Coldwater, Kan., who is charged with stealing money orders totaling \$2,099 from the United States mail while she was working for the U.S. Postal Service in Gilmore, Kan., between Jan. 10, 2004, and Aug. 6, 2004.

If convicted, she faces up to 10 years in federal prison and a \$250,000 fine. The U.S. Postal Inspection Service investigated the case.

As in any criminal case, a person is presumed innocent until and unless proven guilty. The Indictments filed merely contain allegations of criminal conduct.