



PRESS RELEASE

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**NEW YORK MAN SENTENCED TO ALMOST 22 YEARS IN PRISON
FOR FEDERAL COCAINE TRAFFICKING CONVICTION**

***Defendant Convicted of Transporting More than 2.9 Kilograms of Cocaine
Concealed in Cereal Boxes from Arizona to New York***

ALBUQUERQUE – This morning, a federal judge sentenced Richard Anthony McKenzie, a 39-year-old resident of Uniondale, New York, to 262 months in prison for his cocaine trafficking conviction. McKenzie will be on supervised release for four years after he completes his prison sentence.

U.S. Attorney Kenneth J. Gonzales said that, on April 13, 2011, a jury found McKenzie guilty of possession of more than 500 grams of cocaine with intent to distribute after a two-day trial.

McKenzie was arrested on July 7, 2008, after DEA agents found approximately 2.9 kilograms of cocaine concealed in cereal boxes in McKenzie's possession. He has been in custody since that time. At trial, on July 7, 2008, a DEA agent and a task force officer, who were conducting an investigation at the Amtrak station, approached McKenzie, a passenger who was traveling from Flagstaff, Ariz., to New York City, during the train's stop at the station. McKenzie agreed to speak with the DEA agent and officer, and discussed his purpose and route of travel. Among other things, McKenzie told the officers that he was traveling by train in a luxury sleeper car at the cost of \$1,836.00 because he did not like to fly. After McKenzie consented to a search of his luggage, the DEA agent and officer found an airline baggage tag on one of McKenzie's suitcases reflecting that he had traveled to Phoenix by air on July 3, 2008. The search also revealed three boxes of cereal that appeared to be unopened but felt heavier than the listed weight.

After McKenzie refused to give the DEA agent permission to search the three cereal boxes or to have a certified drug detection canine sniff the boxes, the three men moved onto the train platform where the officers attempted to arrest McKenzie. McKenzie evaded arrest and locked himself in his sleeper car. While the DEA agent and officer attempted to open the door to the sleeper car, McKenzie removed the window in his second story sleeper car and jumped out the window. The DEA agent and officer observed McKenzie limping away down the platform

toward a chain-link fence topped with razor wire. The officers apprehended McKenzie shortly thereafter.

The DEA agent seized McKenzie's personal property, including the three cereal boxes, which was left in the sleeper car when McKenzie fled, and obtained a federal warrant to search the boxes. The search revealed that the boxes contained an aggregate of 3.5 gross kilograms (7.6 pounds) of cocaine. Subsequent lab testing revealed that the substances in the boxes contained approximately 2.9 kilograms (6.38 pounds) of actual cocaine. The jury deliberated for an hour before returning a guilty verdict.

The case was investigated by the DEA, and was prosecuted by Assistant United States Attorneys Damon P. Martinez and Samuel A. Hurtado.

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