

U.S. DISTRICT COURT
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

2011 FEB 28 P 4:27

UNITED STATES OF AMERICA,

JON W. SANFILIPPO
CLERK

Plaintiff,

Case No. 17-CR-

17-CR- 43

v.

[21 U.S.C. §§ 841 and 846;
18 U.S.C. §§ 922(g) and 924(c)]

BRADY J. POMEROY,
OMAR SANCHEZ,
TENG HER,
DAVID LY,
ZOEY SCOTT,
ZACHARY HIETPAS,
ZACHARY KRYZANIAK, and
CURTIS WHITAKER,

Green Bay Division

Defendants.

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. Beginning on approximately May 13, 2016 and continuing through approximately January 18, 2017, in the State and Eastern District of Wisconsin,

**BRADY J. POMEROY,
OMAR SANCHEZ,
TENG HER,
DAVID KUE LY,
ZOEY A. SCOTT,
ZACHARY M. HIETPAS,
ZACHARY J. KRYZANIAK, and
CURTIS J. WHITAKER,**

knowingly and intentionally conspired and agreed with each other and persons known and unknown to the grand jury, to distribute and possess with intent to distribute a controlled

substance in violation of Title 21, United States Code, Section 841(a)(1).

2. The offense involved 50 grams or more of methamphetamine, a Schedule II controlled substance.

3. Specifically, the defendants and persons known and unknown to the grand jury conspired to obtain more than 1,600 grams of methamphetamine from sources in California and bring it into Wisconsin for purpose of resale.

All in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(A)(viii).

COUNT TWO

THE GRAND JURY FURTHER CHARGES:

On or about August 25, 2016, in the State and Eastern District of Wisconsin,

OMAR SANCHEZ

knowingly and intentionally distributed more than 50 grams of methamphetamine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(viii).

COUNT THREE

THE GRAND JURY FURTHER CHARGES:

On or about October 25, 2016, in the State and Eastern District of Wisconsin,

CURTIS J. WHITAKER

knowingly and intentionally possessed with the intent to distribute more than 50 grams of methamphetamine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(viii).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES:

On or about October 26, 2016, in the State and Eastern District of Wisconsin,

**BRADY J. POMEROY and
ZOEY A. SCOTT,**

knowingly and intentionally possessed with the intent more than 50 grams of methamphetamine, a Schedule II controlled substance.

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

COUNT FIVE

THE GRAND JURY FURTHER CHARGES:

1. On or about October 26, 2016, in the State and Eastern District of Wisconsin,

BRADY J. POMEROY,

having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate commerce, a firearm, said firearm having been shipped and transported in interstate commerce in violation of Title 18, United States Code, Section 922(g)(1).

2. More specifically, the defendant possessed a Remington 870 20-gauge shotgun, bearing serial number RS39554H, and a Remington 870 12-gauge shotgun, bearing serial number B627605M.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT SIX

THE GRAND JURY FURTHER CHARGES:

On or about October 26, 2016, in the State and Eastern District of Wisconsin,

ZACHARY M. HIETPAS

knowingly and intentionally possessed with the intent to distribute more than 5 grams of methamphetamine, a Schedule II controlled substance.

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

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES:

On or about January 18, 2017, in the State and Eastern District of Wisconsin,

BRADY J. POMEROY

knowingly and intentionally distributed more than 5 grams of methamphetamine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(viii).

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES:

On or about January 18, 2017, in the State and Eastern District of Wisconsin,

BRADY J. POMEROY

knowingly and intentionally possessed with the intent to distribute more than 500 grams of methamphetamine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(viii).

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about January 18, 2017, in the State and Eastern District of Wisconsin,

BRADY J. POMEROY

knowingly possessed a firearm in furtherance of a crime of drug trafficking for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute controlled substances, as charged in Count Eight of this indictment.

2. The firearm is more fully described as a Beretta Model 950B semiautomatic pistol in .22 short, bearing serial number C22452.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A).

COUNT TEN

THE GRAND JURY FURTHER CHARGES:

1. On or about January 18, 2017, in the State and Eastern District of Wisconsin,

BRADY J. POMEROY,

having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate commerce, a firearm.

2. More specifically, the defendant possessed a Beretta Model 950B semiautomatic pistol in .22 short, bearing serial number C22452.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES:

1. On or about January 18, 2017, in the State and Eastern District of Wisconsin,

BRADY POMEROY,

having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate commerce, ammunition.

2. More specifically, the defendant possessed 96 rounds of 22-short caliber ammunition in his residence in the Village of Fox Crossing in Winnebago County, Wisconsin.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

NOTICE OF FORFEITURE

1. Upon conviction of any of the controlled substance offenses, the defendant shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the violations and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violations, including but not limited to a sum of money representing the amount of proceeds obtained as a result of the offenses, including: United States Currency totaling \$17,279.

2. If any of the property described above, as a result of any act or omission by a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third person; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be subdivided without difficulty, the United States of America shall be entitled to forfeiture of substitute property, pursuant to 21 U.S.C. § 853(p).

A TRUE BILL:

[Redacted]

FOREPERSON

Dated: 02/28/2017



GREGORY J. HAANSTAD
United States Attorney