

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Arkansas

United States of America

v.

Lewis Ray Chafin, Jr.

Case No.

5:18 - MJ - 5014

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 5, 2018 in the county of Washington in the Western District of Arkansas, the defendant(s) violated:

Table with 2 columns: Code Section and Offense Description. Code Section: 21 USC 843(a)(6), 21 USC 843(d)(2). Offense Description: (a) it shall be unlawful for any person to knowingly or intentionally- (6) to possess any ... tableting machine, encapsulating machine...or any equipment, chemical, product, or material which may be used to manufacture a controlled substance or listed chemical, knowing, intending, or having reasonable cause to believe, that it will be used to manufacture a controlled substance or listed chemical in violation of this subchapter or subchapter II of this chapter; (d)(2)Penalty - not more than 10 years imprisonment;fines under Title 18;both

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.

Handwritten signature of TFO Jacob Lawson

DEA TFO Jacob Lawson
Printed name and title

Sworn to before me and signed in my presence.

Date: 4/11/18

Handwritten signature of Erin L. Wiedemann

City and state: Fayetteville, Arkansas

Hon. Erin L. Wiedemann, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

I, Jacob Lawson, Task Force Officer (TFO) with the Drug Enforcement Administration (DEA)

being first duly sworn, do hereby depose and state as follows:

INTRODUCTION

1. I am a Detective with the Fayetteville Police Department and I am currently assigned as a Task Force Officer (TFO) to the United States Department of Justice Drug Enforcement Administration (DEA). I have been so appointed since March of 2015. Prior to being appointed as a Task Force Officer, I was assigned as a Detective with the Fourth Judicial District Drug Task Force for approximately four years. During my employment, I have personally conducted or assisted in numerous investigations of criminal violations of the Controlled Substances Act and federal drug trafficking statutes. Many of these investigations have also focused on organizations who have distributed, manufactured, or derived income from illegal sources, specifically from the unlawful distribution of methamphetamine, marijuana, and other controlled substances. The statements contained in this affidavit are based on investigative efforts of this affiant, other law enforcement officials, and on my experience and background as a Task Force Officer with the DEA.

2. This affidavit is being submitted in support of a criminal complaint for Lewis CHAFIN. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

SUMMARY

3. On April 4, 2018, a confidential source (CS) with the Springdale Police Department provided information that an individual whom lived in the area of Pepper Tree Lane in Fayetteville was manufacturing counterfeit Oxycodone pills with a pill press and associated items. The CS provided a detailed description of the home and stated that the occupants had a

black Dodge Challenger vehicle. The CS stated that the occupant of the home possessed a pill press that was being utilized to produce and distribute fentanyl and oxycodone pills. Detective Gene Johnson with the 4th Judicial District Drug Task Force believed he was familiar with the described home and its occupants, including Lewis Chafin, from previous law enforcement activities at that residence.

4. On April 5, 2018, Detectives of the 4th Judicial Drug Task Force ran an NCIC/ACIC search on Chafin and discovered he was an active probationer with the State of Arkansas. Traveling to the residence, investigators went to the door and knocked, confirming that Chafin was inside the residence. As this occurred, a black Dodge Challenger, as described by the CS, arrived at the residence. Chafin, because he was on state supervision, had previously signed a Warrantless Search Waiver, which is a condition of all parolee and probationers through the State of Arkansas Community Corrections. The Warrantless Search Waiver allows any certified law enforcement officer to search the offender's person, place of residence, or motor vehicle at any time whenever requested. Investigators informed Chafin of their intent to search his room and the common areas of the house pursuant to this waiver.

5. CHAFIN escorted investigators to his bedroom and a search ensued. Investigators located several items of mail and property which confirmed Lewis CHAFIN was the occupant of the room. Investigators located a large, locked tool box. On CHAFIN's key ring investigators located the key that opened the tool box. Inside the tool box investigators located a dismantled pill press and several dies. The dies associated with the pill press are used to imprint a manufacturer's logo and/or numbers on particular pills. Of particular note, one die was present to press a script letter "V" into a pill. In addition, several agents to bind pills together were located within the box, many of which were of different colors. Present were two shades of blue and an off-white substance, all believed to be binding agents for pills. Also located were 43 counterfeit Oxycodone pills, pressed into a blue color which matched one of the shades of pill binding agents, stamped with a script "V" matching the die which had been located with the pill press. The funnel and dies associated with the press were covered with a powdery residue, blue in color, consistent with its recent use to manufacture pills. The investigators assembled the pill press and confirmed that it was functional. Based on my training, experience, and

knowledge of this investigation, I believe that these facts indicate the pill press had been recently used by Chafin to make the counterfeit Oxycodone pills present in his room.

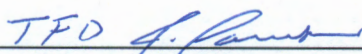
6. My belief that Chafin had recently used the present pill press and materials to manufacture the counterfeit Oxycodone pills located by investigators was bolstered by the presence in the room of a piece of paper which appeared to be a recipe to make Oxycodone pills, containing equations for the amount of "MPF Fent" to place in the mixture. Based on my training, experience, and knowledge of this investigation, it is my belief that "MPF Fent" is a reference for Fentanyl, an extremely strong Schedule II narcotic, which if misused either in the manufacture process or in the over-dosing of the drug can result in the death or incapacitation of the person ingesting it.

7. The counterfeit pills seized and the materials which appear to be agents for manufacturing additional pills have been sent to the DEA Laboratory in Dallas, Texas for further testing, the results of which are pending.

8. CHAFIN was arrested for state of Arkansas felony charges including Manufacture of a Controlled Substance-Schedule II, Possession of a Controlled Substance with Purpose to Deliver-Schedule I, Possession of a Controlled Substance with Purpose to Deliver-Schedule II, Possession of a Controlled Substance-Schedule IV, and Possession of Drug Paraphernalia. CHAFIN was transported to the Washington County Sheriff's Jail where he was booked in for the aforementioned charges. On April 7, 2018, CHAFIN posted a bond and was released from custody. CHAFIN is currently out on bond awaiting his next court date.


9. Based on the foregoing, I believe that probable cause exists for the arrest of Lewis CHAFIN for the offense of unlawfully possessing a tableting machine in violation of 21 U.S.C. § 843(a)(6) and 843 (d)(2). Thus, affiant respectfully requests that a warrant for the arrest of Lewis Chafin issue.

Respectfully submitted,



DEA TFO Jacob Lawson

Subscribed and sworn to before me on April 11th, 2018



Hon. Erin L. Wiedemann
United States Magistrate Judge

