

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Criminal Case No. 18-cr-00381-MSK-GPG

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. **BRUCE HOLDER,**
2. **LEXUS HOLDER,**
3. **CORINA HOLDER,**
4. **GERI BOCHMANN,**
5. **JESSICA BRADY,**
6. **MARIE MATOS,**

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
8/19/2019
JEFFREY P. COLWELL, CLERK

SECOND SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT 1

**Conspiracy to Distribute Controlled Substance
and Counterfeit Controlled Substance
(21 U.S.C. § 846)**

Between in or about June, 2017, and in or about January, 2019, within the State and District of Colorado and elsewhere, the defendants, **BRUCE HOLDER, LEXUS HOLDER, CORINA HOLDER, GERI BOCHMANN, JESSICA BRADY, and MARIE MATOS**, did knowingly and intentionally conspire with each other and with persons known and unknown to the Grand Jury to distribute and possess with intent to distribute 400 grams and more of a mixture or substance containing a detectable amount of

fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(vi), and such substance, without authorization, bore an identifying mark that falsely purported the substance to be the product of Mallinckrodt, Inc., a manufacturer of controlled substances, which did not, in fact, manufacture such substance, in violation of Title 21, United States Code, Sections 841(a)(2) and (b)(1)(A)(vi).

All in violation of Title 21, United States Code, Section 846.

COUNT 2

**Distribution of Controlled Substance Resulting in Death
(21 U.S.C. § 841(a)(1) and (b)(1)(C))**

On or about December 26, 2017, within the State and District of Colorado, the defendant, **BRUCE HOLDER**, did knowingly and intentionally distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, the use of which resulted in the death of J.E. on or about December 28, 2017.

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

COUNT 3

**Distribution of Controlled Substance Resulting in Serious Bodily Injury
(21 U.S.C. § 841(a)(1) and (b)(1)(C))**

On or about December 26, 2017, within the State and District of Colorado, the defendant, **BRUCE HOLDER**, did knowingly and intentionally distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, the use of which resulted in serious bodily injury to Z.G. on or about

December 28, 2017.

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

COUNT 4

**Distribution of Counterfeit Controlled Substance
(21 U.S.C. § 841(a)(2) and (b)(1)(C))
Aiding and Abetting
(18 U.S.C. § 2)**

On or about December 26, 2017, within the State and District of Colorado, the defendant, **BRUCE HOLDER**, did knowingly and intentionally distribute and possess with intent to distribute a counterfeit controlled substance which, without authorization, bore an identifying mark that falsely purported the substance to be the product of Mallinckrodt, Inc., a manufacturer of controlled substances, which did not, in fact, manufacture such substance; and did aid, abet, counsel, command, induce, or procure the same.

All in violation of Title 21, United States Code, Sections 841(a)(2) and (b)(1)(C); and Title 18, United States Code, Section 2.

COUNT 5

**Distribution of Controlled Substance
(21 U.S.C. § 841(a)(1) and (b)(1)(C))
Aiding and Abetting
(18 U.S.C. § 2)**

In or about June, 2018, within the State and District of Colorado, the defendants, **BRUCE HOLDER, LEXUS HOLDER, CORINA HOLDER, GERI BOCHMANN, and JESSICA BRADY**, did knowingly and intentionally distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, and did

aid, abet, counsel, command, induce, or procure the same.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 6

**Distribution of Counterfeit Controlled Substance
(21 U.S.C. § 841(a)(2) and (b)(1)(C))
Aiding and Abetting
(18 U.S.C. § 2)**

In or about June, 2018, within the State and District of Colorado, the defendants, **BRUCE HOLDER, LEXUS HOLDER, CORINA HOLDER, GERI BOCHMANN, and JESSICA BRADY**, did knowingly and intentionally distribute and possess with intent to distribute a counterfeit controlled substance which, without authorization, bore an identifying mark that falsely purported the substance to be the product of Mallinckrodt, Inc., a manufacturer of controlled substances, which did not, in fact, manufacture such substance; and did aid, abet, counsel, command, induce, or procure the same.

All in violation of Title 21, United States Code, Sections 841(a)(2) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 7

**Distribution of Controlled Substance
(21 U.S.C. § 841(a)(1) and (b)(1)(C))
Aiding and Abetting
(18 U.S.C. § 2)**

On or about June 12, 2018, within the State and District of Colorado, the defendant, **LEXUS HOLDER**, did knowingly and intentionally distribute and possess with intent to distribute a mixture and substance containing detectable amounts of

fentanyl, a Schedule II controlled substance, and acetylfentanyl, a Schedule I controlled substance, and did aid, abet, counsel, command, induce, or procure the same.

All in violation of Title 21, United States Code, Sections 841(a)(1), and (b)(1)(C); and Title 18, United States Code, Section 2.

COUNT 8

**Distribution of Counterfeit Controlled Substance
(21 U.S.C. § 841(a)(2) and (b)(1)(C))
Aiding and Abetting
18 U.S.C. § 2**

On or about June 12, 2018, within the State and District of Colorado, the defendant, **LEXUS HOLDER**, did knowingly and intentionally distribute and possess with intent to distribute a counterfeit controlled substance which, without authorization, bore an identifying mark that falsely purported the substance to be the product of Mallinckrodt, Inc., a manufacturer of controlled substances, which did not, in fact, manufacture such substance; and did aid, abet, counsel, command, induce, or procure the same.

All in violation of Title 21, United States Code, Sections 841(a)(2) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 9

**Distribution of Controlled Substance
(21 U.S.C. § 841(a)(1) and (b)(1)(C))
Aiding and Abetting
18 U.S.C. § 2**

On or about June 19, 2018, within the State and District of Colorado, the defendant, **LEXUS HOLDER**, did knowingly and intentionally distribute and possess

with intent to distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, and did aid, abet, counsel, command, induce, or procure the same.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C); and Title 18, United States Code, Section 2.

COUNT 10

**Distribution of Counterfeit Controlled Substance
(21 U.S.C. § 841(a)(2) and (b)(1)(C))
Aiding and Abetting
(18 U.S.C. § 2)**

On or about June 19, 2018, within the State and District of Colorado, the defendant, **LEXUS HOLDER**, did knowingly and intentionally distribute and possess with intent to distribute a counterfeit controlled substance which, without authorization, bore an identifying mark that falsely purported the substance to be the product of Mallinckrodt, Inc., a manufacturer of controlled substances, which did not, in fact, manufacture such substance; and did aid, abet, counsel, command, induce, or procure the same.

All in violation of Title 21, United States Code, Sections 841(a)(2) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 11

**Distribution of Controlled Substance
(21 U.S.C. § 841(a)(1) and (b)(1)(C))
Aiding and Abetting
(18 U.S.C. § 2)**

On or about June 27, 2018, within the State and District of Colorado, the defendant, **LEXUS HOLDER**, did knowingly and intentionally distribute and possess with intent to distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, and did aid, abet, counsel, command, induce, or procure the same.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C); and Title 18, United States Code, Section 2.

COUNT 12

**Distribution of Counterfeit Controlled Substance
(21 U.S.C. § 841(a)(2) and (b)(1)(C))
Aiding and Abetting
(18 U.S.C. § 2)**

On or about June 27, 2018, within the State and District of Colorado, the defendant, **LEXUS HOLDER**, did knowingly and intentionally distribute and possess with intent to distribute a counterfeit controlled substance which, without authorization, bore an identifying mark that falsely purported the substance to be the product of Mallinckrodt, Inc., a manufacturer of controlled substances, which did not, in fact, manufacture such substance; and did aid, abet, counsel, command, induce, or procure the same.

All in violation of Title 21, United States Code, Sections 841(a)(2) and (b)(1)(C)

and Title 18, United States Code, Section 2.

COUNT 13

**Distribution of Controlled Substance
(21 U.S.C. § 841(a)(1) and (b)(1)(C))
Aiding and Abetting
(18 U.S.C. § 2)**

On or about July 3, 2018, within the State and District of Colorado, the defendant, **LEXUS HOLDER**, did knowingly and intentionally distribute and possess with intent to distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, and did aid, abet, counsel, command, induce, or procure the same.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C); and Title 18, United States Code, Section 2.

COUNT 14

**Distribution of Counterfeit Controlled Substance
(21 U.S.C. § 841(a)(2) and (b)(1)(C))
Aiding and Abetting
(18 U.S.C. § 2)**

On or about July 3, 2018, within the State and District of Colorado, the defendant, **LEXUS HOLDER**, did knowingly and intentionally distribute and possess with intent to distribute a counterfeit controlled substance which, without authorization, bore an identifying mark that falsely purported the substance to be the product of Mallinckrodt, Inc., a manufacturer of controlled substances, which did not, in fact, manufacture such substance; and did aid, abet, counsel, command, induce, or procure the same.

All in violation of Title 21, United States Code, Sections 841(a)(2) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 15

**Possession with Intent to Distribute Controlled Substance
(21 U.S.C. § 841(a)(1) and (b)(1)(B)(vi))**

On or about January 10, 2019, within the State and District of Colorado, the defendant, **MARIE MATOS**, did knowingly and intentionally possess with intent to distribute 40 grams and more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance.

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

COUNT 16

**Possession with Intent to Distribute Counterfeit Controlled Substance
(21 U.S.C. § 841(a)(2) and (b)(1)(B)(vi))**

On or about January 10, 2019, within the State and District of Colorado, the defendant, **MARIE MATOS**, did knowingly and intentionally possess with intent to distribute 40 grams and more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, which, without authorization, bore an identifying mark that falsely purported the substance to be the product of Mallinckrodt, Inc., a manufacturer of controlled substances, which did not, in fact, manufacture such substance.

All in violation of Title 21, United States Code, Sections 841(a)(2) and (b)(1)(B)(vi).

FORFEITURE ALLEGATION

1. The allegations contained in Counts 1 through 16 of this Second Superseding Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to the provisions of Title 21, United States Code, Section 853.

2. Upon conviction of the violations alleged in Counts 1 through 16 of this Superseding Indictment involving violations of Title 21, United States Code, Sections 841(a)(1), 841(a)(2), and 846, the defendants, **BRUCE HOLDER, LEXUS HOLDER, CORINA HOLDER, GERI BOCHMANN, JESSICA BRADY, and MARIE MATOS**, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853 any and all of the defendants' right, title, and interest in all property constituting and derived from any proceeds obtained directly and indirectly as a result of such offense, and in all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such offense, including, but not limited to a money judgment in the amount of proceeds obtained by the defendants.

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 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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

A TRUE BILL

Ink signature on file in Clerk's Office
FOREPERSON

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