

UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING
2022 JAN -6 AM 10:39

MARGARET BOTKINS, CLERK
CHEYENNE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL PATRICK GUTIERREZ,

Defendant.

CRIMINAL COMPLAINT

Case Number: 22mj01-J

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

On or about August 15, 2020, through and including on or about April 1, 2021, in the District of Wyoming and elsewhere, the Defendant, **DANIEL PATRICK GUTIERREZ**, did knowingly, intentionally and unlawfully combine, conspire, confederate, and agree together, and with other persons known and unknown to the grand jury, to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 846 and 841(a)(1), (b)(1)(A).

I further state that I am a Special Agent with the Division of Criminal Investigation and that this complaint is based on the following facts:

(See attached Sworn Statement)

Continued on the attached sheet and made a part hereof



Signature of Complainant

ADAM UHRICH

Sworn to before me and subscribed via telephone,

January 5, 2022

Date

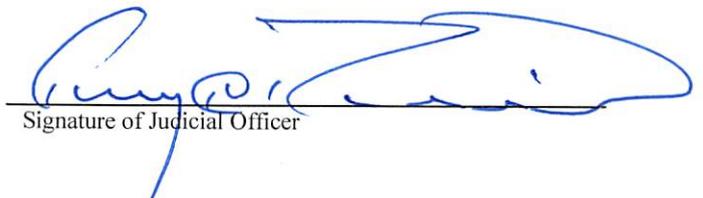
at

Cheyenne, Wyoming

City and State

HON. KELLY H. RANKIN
Chief United States Magistrate Judge

Name & Title of Judicial Officer



Signature of Judicial Officer

**AFFIDAVIT OF SPECIAL AGENT ADAM UHRICH
IN SUPPORT OF COMPLAINT OF DANIEL GUTIERREZ**

I, Special Agent Adam Uhrich, a Task Force Officer with the Division of Criminal Investigation, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I have been employed as a Police Officer by the Casper Police Department since April 2016 and have been assigned to the Wyoming Division of Criminal Investigation as a Task Force Officer since June 2019. During my tenure as a law enforcement officer, I have gained experience and training in the investigation of criminal controlled substance violations. I have attended and completed the “DCI Basic Drug Investigator School” as well as the “DEA Basic Drug Investigator School”. This training and experience has included investigative tactics and techniques involving the evidentiary exploitation of documents, electronic media, and other technical devices; the recognition of controlled substances; the recognition and knowledge of paraphernalia used for the ingestion, distribution, manufacture, packaging, and storage of controlled substances; the recognition and identification of stolen property, to include the various means of distribution, packaging, and storage of such property, as well as the different means and methods used by individuals to contact and communicate with others for purposes of arranging and/or executing controlled substance and/or stolen property transactions. I have initiated and/or assisted in numerous investigations of controlled substance violations both on the state and Federal level, resulting in the successful prosecution of numerous individuals.

PROBABLE CAUSE

2. In December 2020, Special Agents with the Wyoming Division of Criminal Investigation, Central Enforcement Team, began an investigation into the use and distribution of

methamphetamine in Natrona County, WY. Through the course of the investigation, Joseph Hooker was identified as a source of supply of methamphetamine in Natrona County, WY.

3. Through the course of the investigation, agents have conducted multiple interviews with known individuals and known co-conspirators, related to Hooker being involved in the possession and distribution of large quantities of methamphetamine, as well as Hooker frequently traveling to the area of Cheyenne, WY, or Colorado to obtain methamphetamine for redistribution in and around the Natrona County, WY area.

4. In December 2020, CEET Agents utilizing a known and reliable but unnamed confidential informant, here after referred to as CI 1, conducted a controlled purchase of approximately 3.6 grams of suspected methamphetamine from Hooker, in Natrona County, WY.

5. On January 5, 2021, I applied for and was granted a Natrona County Circuit Court search warrant, for GPS location information for Hooker's cellular telephone number (307) 251-1523. On January 5, 2021 at approximately 8:55 PM, I began receiving GPS location information for Hooker's cellular telephone. Upon receiving the GPS location data, I noted Hooker's cellular telephone appeared to be traveling Southbound on U.S. Interstate 25, traveling to Cheyenne, WY, and Colorado, before returning to Casper, WY, on January 6, 2021, at approximately 7:10 AM.

6. On January 6, 2021, CEET Agents located and arrested Hooker in Natrona County, WY. At the time of Hooker's arrest, agents located approximately 199.9 grams of suspected methamphetamine, packaging materials associated with the distribution of controlled substances, and two semi-automatic style pistols.

7. On January 7, 2021, I applied for and was granted a Natrona County Circuit Court search warrant for Joseph Hooker's cellular telephone. I reviewed HOOKER'S cellular telephone

content, and observed numerous conversations related to the use and distribution of controlled substances, as well as the collection of money.

The following is some of a conversation between HOOKER and the phone number (307) 286-1632, utilized by Daniel GUTIERREZ:

12/16/2020 10:01:08 PM(UTC+0) Author: D. GUTIERREZ- We have to go get it now
12/16/2020 10:02:08 PM(UTC+0) Author: HOOKER- Omw
12/17/2020 1:17:28 PM(UTC+0) Author: D. GUTIERREZ- Here
12/17/2020 1:17:45 PM(UTC+0) Author: HOOKER- I just pulled in too im on it
12/17/2020 1:18:14 PM(UTC+0) Author: HOOKER- Give me till 12
12/17/2020 1:18:24 PM(UTC+0) Author: HOOKER- If not b4
12/17/2020 1:18:24 PM(UTC+0) Author: D. GUTIERREZ- K thanks
12/17/2020 6:55:46 PM(UTC+0) Author: D. GUTIERREZ- Patrick Micheal Jimenez
12/17/2020 6:56:38 PM(UTC+0) Author: D. GUTIERREZ- Sending it to albuquerque
New Mexican
12/17/2020 10:31:06 PM(UTC+0) Author: HOOKER- Omw to Walmart rn
12/17/2020 10:31:26 PM(UTC+0) Author: HOOKER- (I noted HOOKER sent a
photograph of what appeared to be numerous bills of U.S. Currency folded into a stack).
12/17/2020 11:38:16 PM(UTC+0) Author: HOOKER- 1000\$
12/17/2020 11:38:29 PM(UTC+0) Author: HOOKER- Ima go cash app 300 rn
12/17/2020 11:38:50 PM(UTC+0) Author: HOOKER- (I noted HOOKER sent a
photograph of what appeared to be a money transfer receipt, for one thousand dollars
(\$1,000), listing the recipient as Patrick Jimenez, and what appeared to list the sender as
Turner Eric Filkins).
12/18/2020 9:55:51 PM(UTC+0) Author: HOOKER- I'm here
12/23/2020 12:57:10 AM(UTC+0) Author: HOOKER- Getting on the road I got my half
12/23/2020 7:17:49 AM(UTC+0) Author: D. GUTIERREZ- You close
12/23/2020 7:29:57 AM(UTC+0) Author: HOOKER- On Lincoln way
12/24/2020 3:48:28 AM(UTC+0) Author: HOOKER- I'm tapped out ready to go again
12/25/2020 1:33:53 AM(UTC+0) Author: D. GUTIERREZ- Hopefully they want to work
on christmas
12/25/2020 8:45:07 AM(UTC+0) Author: HOOKER- What time u wantt me down in the
am
12/25/2020 9:10:21 AM(UTC+0) Author: D. GUTIERREZ- Be here early but we got it set
up for the afternoon
12/25/2020 9:11:21 AM(UTC+0) Author: HOOKER- #?
12/25/2020 9:12:02 AM(UTC+0) Author: D. GUTIERREZ- 3800 threw this chick
12/25/2020 9:12:19 AM(UTC+0) Author: HOOKER- 19 ok
12/25/2020 9:12:33 AM(UTC+0) Author: D. GUTIERREZ- I'll be close to my half we
need a whole one just once
12/25/2020 9:12:47 AM(UTC+0) Author: D. GUTIERREZ- Well blow up after that
12/25/2020 9:13:25 AM(UTC+0) Author: HOOKER- I already know. We gonna make it
happen

12/28/2020 3:56:44 AM(UTC+0) Author: HOOKER- The roads have been shut down since earlier. U can't even see riding around town

12/28/2020 3:57:23 AM(UTC+0) Author: D. GUTIERREZ- Cool so your in casper

12/28/2020 3:57:58 AM(UTC+0) Author: HOOKER- Yea. Until I can get down and as soon as I can im coming

12/28/2020 3:58:46 AM(UTC+0) Author: D. GUTIERREZ- K I might be able to have it here

12/28/2020 3:59:12 AM(UTC+0) Author: HOOKER- That would b super tight. Same number?

12/28/2020 3:59:43 AM(UTC+0) Author: HOOKER- U ready to buy your thing back I got 2 new ones

12/28/2020 4:00:41 AM(UTC+0) Author: D. GUTIERREZ- Yea if you want to send it first I can for sure have it

12/28/2020 4:01:53 AM(UTC+0) Author: D. GUTIERREZ- The cash app thing the regular cash app and we can get cheaper but this is my solid connect since kids same shit

12/28/2020 4:06:32 AM(UTC+0) Author: D. GUTIERREZ- Let me know either way so I can get it ready

12/28/2020 4:14:02 AM(UTC+0) Author: HOOKER- Bet. No doubt I'm on it for tomorrow afternoon. Need number on half

12/28/2020 4:14:30 AM(UTC+0) Author: D. GUTIERREZ- I told 2500

12/28/2020 4:15:29 AM(UTC+0) Author: HOOKER- I'll send tomorrow afternoon. I got court at 9 4 a dui

12/28/2020 4:16:13 AM(UTC+0) Author: D. GUTIERREZ- K if you do it early I can go to casper so I can get that thing

12/28/2020 10:48:55 PM(UTC+0) Author: D. GUTIERREZ- You coming

12/28/2020 11:38:34 PM(UTC+0) Author: HOOKER- Man with my truck im short now im trying to put the money back together

12/28/2020 11:39:44 PM(UTC+0) Author: D. GUTIERREZ- So no go

12/28/2020 11:52:17 PM(UTC+0) Author: HOOKER- I can come but only got like 15 I can have the rest Tomorrow. So how do u want me to go about it. I don't want to waste a trip on just a couple ya feel me. I just don't know what to do

12/29/2020 12:49:38 AM(UTC+0) Author: D. GUTIERREZ- You got to come early g

12/29/2020 12:51:25 AM(UTC+0) Author: D. GUTIERREZ- I need you

12/29/2020 12:51:53 AM(UTC+0) Author: HOOKER- I got u

12/30/2020 7:19:52 PM(UTC+0) Author: D. GUTIERREZ- Patrick Micheal Jimenez Fort Collins Colorado

12/30/2020 8:01:26 PM(UTC+0) Author: HOOKER- About to pull in

12/30/2020 8:52:11 PM(UTC+0) Author: HOOKER- (I noted HOOKER sent a photograph of what appeared to be a money transfer receipt, for one thousand and one hundred dollars (\$1,100), listing the recipient as Patrick Michael Jimenez).

12/30/2020 9:53:31 PM(UTC+0) Author: HOOKER- I got the the same amount if we need it

12/30/2020 9:57:06 PM(UTC+0) Author: D. GUTIERREZ- More the more we get send it

12/30/2020 10:57:31 PM(UTC+0) Author: D. GUTIERREZ- The next one goes to Thornton Colorado Ashley Nicole Gutierrez

12/30/2020 11:17:07 PM(UTC+0) Author: HOOKER- Igg

The following is some of a conversation between HOOKER and “Homie” (307) 631-3707, utilized by Daniel GUTIERREZ:

12/31/2020 10:30:26 AM(UTC+0) Author: D. GUTIERREZ- This my new number
12/31/2020 10:30:27 AM(UTC+0) Author: D. GUTIERREZ- H20
12/31/2020 11:00:03 AM(UTC+0) Author: D. GUTIERREZ- (I noted D. GUTIERREZ sent a photograph of himself).
12/31/2020 6:23:43 PM(UTC+0) Author: D. GUTIERREZ- Wya
12/31/2020 6:25:36 PM(UTC+0) Author: HOOKER- Here in town
12/31/2020 7:01:57 PM(UTC+0) Author: D. GUTIERREZ- Come by
1/1/2021 6:37:15 PM(UTC+0) Author: D. GUTIERREZ- Ashley Gutierrez Thornton colo
1/1/2021 6:50:38 PM(UTC+0) Author: HOOKER- How many am I gonna get?
1/1/2021 6:54:18 PM(UTC+0) Author: D. GUTIERREZ- 5
1/1/2021 7:11:32 PM(UTC+0) Author: D. GUTIERREZ- Then we will be equal on the oz
1/1/2021 7:18:16 PM(UTC+0) Author: HOOKER- Yea. So that's one for the one from U. But I was short one yesterday
1/1/2021 7:18:24 PM(UTC+0) Author: HOOKER- Going send rn
1/1/2021 7:28:45 PM(UTC+0) Author: D. GUTIERREZ- Let me know when it's sent im on my way now
1/1/2021 8:14:17 PM(UTC+0) Author: HOOKER- (I noted HOOKER sent a photograph of what appeared to be a Walmart2Walmart money transaction receipt, for one thousand dollars (\$1,000), sent to Ashley Gutierrez).
1/2/2021 12:09:43 PM(UTC+0) Author: HOOKER- How much more I need to get half on my own?
1/2/2021 12:12:44 PM(UTC+0) Author: D. GUTIERREZ- Homeboy its 5000 a p any way you break it thats not making a dime and blues are 7 a pop ghats cost but you my dude
1/2/2021 12:13:17 PM(UTC+0) Author: HOOKER- So 15
1/2/2021 12:13:24 PM(UTC+0) Author: D. GUTIERREZ- He'll fucm with us like grab one take one
1/2/2021 1:00:59 PM(UTC+0) Author: D. GUTIERREZ- I'll have 800 a bad attitude and
1/2/2021 1:02:13 PM(UTC+0) Author: D. GUTIERREZ- And this big ass tv
1/5/2021 2:27:08 AM(UTC+0) Author: D. GUTIERREZ- I'm on the way to denver
1/5/2021 2:27:16 AM(UTC+0) Author: D. GUTIERREZ- So keep coming
1/5/2021 2:40:18 AM(UTC+0) Author: HOOKER- It says I'm like 1.5 hr away do u want to wait still or wait in Cheyenne
1/5/2021 2:41:05 AM(UTC+0) Author: D. GUTIERREZ- Just keep trucking to thorton colorado
1/5/2021 3:12:38 AM(UTC+0) Author: D. GUTIERREZ- You pass cheyenne
1/5/2021 3:13:00 AM(UTC+0) Author: HOOKER- Just getting here
1/5/2021 3:13:47 AM(UTC+0) Author: D. GUTIERREZ- Keep coming incase I need the 7
1/5/2021 4:03:15 AM(UTC+0) Author: D. GUTIERREZ- \$Mrjbd13
1/5/2021 4:08:37 AM(UTC+0) Author: D. GUTIERREZ- Tell me when its done

1/5/2021 4:21:11 AM(UTC+0) Author: D. GUTIERREZ- Let me know so I don't got to come back tomorrow
1/5/2021 4:24:37 AM(UTC+0) Author: HOOKER- I got 450 that's all she had cash I gotta load the other
1/5/2021 4:25:04 AM(UTC+0) Author: D. GUTIERREZ- Are you sending that now
1/5/2021 4:25:36 AM(UTC+0) Author: HOOKER- Yes
1/5/2021 5:10:23 AM(UTC+0) Author: HOOKER- So I can touch the 8?
1/5/2021 7:18:18 AM(UTC+0) Author: D. GUTIERREZ- Give me 15
1/5/2021 7:18:25 AM(UTC+0) Author: HOOKER- Did u pass foco?
1/5/2021 7:19:04 AM(UTC+0) Author: D. GUTIERREZ- Yea
1/5/2021 7:19:46 AM(UTC+0) Author: HOOKER- In the chey?
1/5/2021 7:33:04 AM(UTC+0) Author: D. GUTIERREZ- Come by
1/5/2021 7:33:59 AM(UTC+0) Author: HOOKER- I was close im out front

8. I noted through a review of the aforementioned conversations, Hooker and D. GUTIERREZ appeared to arrange and conspire to obtain methamphetamine on six separate occasions. I noted during the conversations, Hooker and GUTIERREZ discussed and referenced prices commonly associated to one half (1/2) and one (1) pound quantities of methamphetamine, as well as the collection/sending of money for the purchases.

9. I noted during Hooker and D. GUTIERREZ'S conversation on January 5, 2021, just prior to Hooker's arrest, Hooker asked D. GUTIERREZ if he could "touch the 8?", I knows "8" as used in the conversation, to be a common term used to refer to one half (1/2) of a pound or eight (8) ounces of controlled substances. I noted following the above referenced conversation, Hooker was arrested with approximately seven (7) ounces of suspected methamphetamine. Additionally, through reviewing the GPS location data for Hooker's cellular telephone, I noted the day prior to Hooker's arrest, D. GUTIERREZ'S residence of 207 W 7th ST, Cheyenne, WY, appeared to be within the radius for the ping location, while Hooker was in the Cheyenne, WY area, prior to and upon returning from the Colorado area.

10. On February 17, 2021, SA Moon and SA Briggs, with the Southeast Enforcement Team (SEET), conducted an interview with a known but unnamed and confidential source, here after referred to as CS 2. CS 2 substantially stated the following;

- CS 2 was recently arrested with approximately one quarter (1/4) of an ounce of methamphetamine, which CS 2 had obtained from Daniel GUTIERREZ. CS 2 advised he/she had been to D. GUTIERREZ'S residence in Cheyenne, WY, two times to obtain methamphetamine. CS 2 obtained one eighth (1/8th) of an ounce of methamphetamine on the first occasion, and one quarter (1/4) of an ounce of methamphetamine on the second occasion. CS 2 advised D. GUTIERREZ provided the methamphetamine to CS 2 on a "front", as CS 2 told D. GUTIERREZ he/she was not doing well and needed to make some money.

11. On August 13, 2021, Special Agents with the Wyoming Division of Criminal Investigation, along with Cheyenne PD/Laramie County SO Joint SWAT team, executed a signed search warrant at D. GUTIERREZ'S residence 207 W 7th ST, Cheyenne, Laramie County, Wyoming. During the execution of the search warrant, officers contacted multiple individuals inside the residence, including D. GUTIERREZ. D. GUTIERREZ was taken into custody on an active Natrona County arrest warrant.

12. After D. GUTIERREZ was taken into custody, I introduced himself to D. GUTIERREZ, and asked if he would like to speak with me; to which D. GUTIERREZ advised that he did not wish to. I advised D. GUTIERREZ that he could contact me at a later time if he changed his mind. After I introduced himself as being an agent in the Casper area, D. GUTIERREZ stated "Casper, that's my name". D. GUTIERREZ proceeded to ask about his arrest warrant and the case that he was involved in, asking if the warrant was Federal. I advised D. GUTIERREZ that

the arrest warrant was not Federal. D. GUTIERREZ inquired as to how he was being charged in Casper, Natrona County, WY, stating he had not "stepped foot" in Casper. I advised D. GUTIERREZ that he did not have to reside in Casper, Natrona County, WY, to be charged with a conspiracy in Natrona County. D. GUTIERREZ then stated that he hadn't "sold" to anyone in Casper, and then stated "well a couple". D. GUTIERREZ stated that I was not going to find what I was looking for while conducting the search warrant, stating officers would not find methamphetamine, but stated he could tell me what officers were going to find. I again asked D. GUTIERREZ if he would like to speak with me in an interview setting, which he advised he did not wish to. I again advised D. GUTIERREZ that if he changed his mind, he could contact me to speak at a later time, and the contact was concluded.

13. The northeast basement bedroom of the residence was identified as D. GUTIERREZ'S bedroom. I noted the walls and door were covered in writing, much of which was "Kasper" a known moniker utilized by D. GUTIERREZ. Above the mattress, I located what appeared to be a small rocking style chair, which had the writing "Mr. H20 Meth Kingpin." I noted in previous textual conversation between D. GUTIERREZ and Joseph Hooker, D. GUTIERREZ referred to himself as "H20".

14. Inside D. GUTIERREZ'S bedroom, agents located two rifle style firearms, various ammunition, small quantities of suspected methamphetamine, suspected fentanyl pills, and multiple items of drug paraphernalia.

15. On November 12, 2021, I attended a Federal proffer interview with a known but unnamed confidential source, here after referred to as CS 3. CS 3 substantially stated the following;

- CS 3 was a user of controlled substances and had been involved in the distribution of controlled substances, including methamphetamine, in the State of Wyoming. While CS

3 was involved in the distribution of controlled substances, CS 3 utilized multiple known individuals, including D. GUTIERREZ as sources of supply for his/her controlled substances.

- CS 3 knew D. GUTIERREZ to go by the nicknames "Kasper" and "H20". CS 3 met D. GUTIERREZ in Cheyenne, WY, in the summer of 2020. After meeting D. GUTIERREZ, CS 3 began obtaining methamphetamine from him. CS 3 advised D. GUTIERREZ obtained methamphetamine from his source of supply (SOS) who lived in Colorado.

- D. GUTIERREZ told CS 3 that when he got out of Federal Prison, his SOS fronted D. GUTIERREZ five (5) pounds of methamphetamine. D. GUTIERREZ redistributed the five (5) pounds of methamphetamine, however instead of paying back the front, D. GUTIERREZ spent a majority of the profit at a gambling location. As D. GUTIERREZ spent a majority of the money, D. GUTIERREZ was no longer able to obtain methamphetamine from his SOS on a front and had to pay upfront.

- CS 3 would travel with D. GUTIERREZ and Ashley GUTIERREZ (AKA Ashley CARABAJAL), to the Thornton, Colorado area, to obtain methamphetamine from D. GUTIERREZ' SOS. CS 3 advised the first time he/she obtained methamphetamine through D. GUTIERREZ, D. GUTIERREZ took an AR-15 and two pistols with him to trade for methamphetamine.

- On the first occasion CS 3 traveled with D. GUTIERREZ and A. GUTIERREZ, they purchased one (1) pound of methamphetamine from the SOS. CS 3 explained after purchasing the one (1) pound of methamphetamine, CS 3 and D. GUTIERREZ split the

one (1) pound into one half (1/2) pound quantities, to which CS 3 took one half (1/2) of a pound and D. GUTIERREZ took the other one half (1/2) pound of methamphetamine.

- After receiving the one half (1/2) pound of methamphetamine on the first occasion, CS 3 noted the weight was short of an actual one half (1/2) pound. CS 3 learned that the SOS distributed methamphetamine in "Mexican ounce" quantities (I knows the term Mexican ounce to be a term used to refer to an ounce weighing approximately twenty five (25) grams rather than twenty eight (28) grams).

- D. GUTIERREZ' SOS charged four thousand five hundred dollars to five thousand dollars (\$4,500 - \$5,000) for one (1) pound quantities of methamphetamine. CS 3 had money for his/her one half (1/2) pound of methamphetamine, however CS 3 explained that D. GUTIERREZ had difficulty coming up with money for the methamphetamine, which CS 3 believed was the reason D. GUTIERREZ traded firearms for methamphetamine. Further, CS 3 advised that D. GUTIERREZ "ran a gun ring" in Cheyenne, WY. CS 3 explained that D. GUTIERREZ would trade methamphetamine or fentanyl pills to juveniles and adults in Cheyenne, in exchange for firearms, including stolen firearms. D. GUTIERREZ would take the firearms with him to Colorado, in order to trade the firearms for controlled substances.

- CS 3 traveled with D. GUTIERREZ and A. GUTIERREZ to the Thornton area approximately three times, in order to obtain methamphetamine. CS 3 advised D. GUTIERREZ and A. GUTIERREZ conducted the methamphetamine transactions with the SOS and CS 3 did not deal directly with the SOS. CS 3 advised on each of the three trips, they would obtain one (1) pound quantities of methamphetamine (the quantities were short

due to the ounces being weighed as "Mexican ounces"), which they would split, with CS 3 taking one half (1/2) of a pound and D. GUTIERREZ taking the other one half (1/2) pound.

- CS 3 obtained methamphetamine from D. GUTIERREZ' SOS on several separate occasions, through other known individuals as well.

16. I asked CS 3 if they knew Joseph "LilJoe Brazy" Hooker, to which CS 3 advised they were familiar with Hooker. CS 3 did not know Hooker prior to Hooker's arrest, and met Hooker in jail. CS 3 knew Hooker and D. GUTIERREZ had been involved in the distribution of methamphetamine together, however CS 3 did not know the specifics of their involvement with each other. CS 3 knew Hooker had been arrested in Casper, WY, for methamphetamine related charges, and later indicted Federally, as D. GUTIERREZ told CS 3 about Hooker's arrest. After Hooker was arrested, D. GUTIERREZ told CS 3 that he was worried about Hooker being arrested. D. GUTIERREZ stated he was concerned that Hooker would talk about him and their involvement with each other, or that Hooker would proffer about D. GUTIERREZ after Hooker was Federally indicted.

17. Based on CS 3's description of the "Mexican ounce" quantities of methamphetamine D. GUTIERREZ was obtaining from his SOS, I noted the approximately 199.9 grams of methamphetamine located at the time of Hooker's arrest was consistent with eight (8) ounces of methamphetamine in twenty-five (25) gram quantities, which would result in approximately two hundred (200) grams in eight (8) "Mexican ounces".

18. I noted based on the above information, it appeared CS 3 and Hooker had a similar arrangement with D. GUTIERREZ, in which D. GUTIERREZ would arrange the purchase of one (1) pound of methamphetamine through his SOS and would split the one (1) pound into one half

(1/2) pound quantities, of which D. GUTIERREZ would keep one half pound and Hooker or CS 3 would take the other half pound.

19. Based on the above information, I noted Hooker and D. GUTIERREZ appeared to arrange transactions for one half (1/2) to one (1) pound quantities of methamphetamine approximately six (6) separate times and CS 3 and D. GUTIERREZ arranged transactions to obtain one (1) pound quantities of methamphetamine on three (3) separate occasions, yielding a total amount of approximately six (6) to nine (9) pounds of methamphetamine.

END OF SWORN STATEMENT

PENALTY SUMMARY

DEFENDANT NAME: DANIEL PATRICK GUTIERREZ

DATE: January 5, 2022

INTERPRETER NEEDED: No

VICTIM(S): No

OFFENSE/PENALTIES: 21 U.S.C. §§ 846 and 841(a)(1), (b)(1)(A)
(Conspiracy to Distribute Methamphetamine)

10 Years To Life Imprisonment
Up To \$10,000,000 Fine
5 Years To Life Supervised Release
\$100 Special Assessment

AGENT: Adam Uhrich, DCI

AUSA: Michael A. Blonigen, Special Assistant United States
Attorney

ESTIMATED TIME OF TRIAL: 1 to 5 days

WILL THE GOVERNMENT SEEK DETENTION IN THIS CASE: Yes

ARE THERE DETAINERS FROM OTHER JURISDICTIONS: Yes. The Court should not grant bond as the Defendant is not bondable.