

FILED

OCT 07 2020

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

Mark C. McCartt, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

v.

TYMALK QUANE LOVE,
a/k/a "Tymalk Laquane Love,"
a/k/a "Qwan,"
a/k/a "Loom,"
a/k/a "Loc Loom,"
ANTHONY WARD IRVING,
a/k/a "Ant,"
CASEY JOE EASTWOOD,
a/k/a "Joe Eastwood,"
a/k/a "Red,"

Defendants.

) Case No. 20-CR-35-CVE

)

) **THIRD SUPERSEDING**) **INDICTMENT**

) [COUNT 1: 21 U.S.C. §§ 846,

) 841(b)(1)(A)(viii), and 841(b)(1)(C) –

) Drug Conspiracy;

) COUNT 2: 21 U.S.C. §§ 846 and

) 841(b)(1)(C) – Drug Conspiracy;

) COUNT 3: 21 U.S.C. §§ 952(a),

) 960(a)(1), and 960(b)(3) – Importation

) of a Controlled Substance – Fentanyl;

) COUNT 4: 18 U.S.C. § 545 – Smuggling

) Goods Into the United States;

) COUNTS 5 through 34: 21 U.S.C.

) § 843(b) – Unlawful Use of a

) Communication Facility;

) COUNTS 35 and 36: 18 U.S.C.

) § 924(c)(1)(A)(i) – Possession of a

) Firearm in Furtherance of a Drug

) Trafficking Crime;

) Forfeiture Allegation: 21 U.S.C. § 853,

) 18 U.S.C. § 982(a)(2)(B), 18 U.S.C. §

) 545, 18 U.S.C. § 924(d)(1) and 28 U.S.C.

) § 2461(c) – Firearm and Drug

) Forfeiture]

THE GRAND JURY CHARGES:

COUNT ONE

[21 U.S.C. §§ 846, 841(b)(1)(A)(viii), and 841(b)(1)(C)]

THE CONSPIRACY

1. Beginning as early as in or about January 2018, the exact date being unknown to the Grand Jury, and continuing to in or about February 2019, in the Northern District of Oklahoma and elsewhere, the defendants, **TYMALK QUANE LOVE**, a/k/a "Tymalk

Laquane Love,” a/k/a “Qwan,” a/k/a “Loom,” a/k/a “Loc Loom,” **ANTHONY WARD IRVING**, a/k/a “Ant,” and **CASEY JOE EASTWOOD**, a/k/a “Red,” did knowingly, intentionally, and willfully conspire, confederate, and agree with each other and with others both known and unknown to the Grand Jury (collectively “the conspirators”), to commit offenses against the United States as follows (“the Conspiracy”):

OBJECTS OF THE CONSPIRACY

2. The objects of the Conspiracy were:
 - a. To possess with intent to distribute heroin, a Schedule I controlled substance, a violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C);
 - b. To distribute heroin, a Schedule I controlled substance, a violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C);
 - c. To possess with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, a violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii); and
 - d. To distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, a violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii).

MEMBERS OF THE CONSPIRACY

3. The following persons, among others, were members of the Conspiracy:
4. The “Organizer” was defendant **TYMALK QUANE LOVE**, a top-tier drug trafficker. **LOVE** coordinated the activities of the Conspiracy from inside Oklahoma Department of Corrections facilities, where he was an inmate.

5. The “Facilitator” was an individual known to **LOVE** and to the Grand Jury who lived in the Northern District of Oklahoma. At **LOVE**’s direction, the Facilitator bought drugs, including methamphetamine and heroin, from bulk distributors and sold those drugs to mid-level drug dealers.

6. The “Broker” was defendant **ANTHONY WARD IRVING**, a person who lived in Arizona and helped connect **LOVE** with bulk distributors in Arizona. **IRVING** made the connections necessary for **LOVE** and the Facilitator to obtain bulk quantities of drugs for resale, including methamphetamine and heroin.

7. The “Distributor” was defendant **CASEY JOE EASTWOOD**, a mid-level drug dealer who lived in Arkansas. **EASTWOOD** bought drugs, including methamphetamine and heroin, from the Facilitator.

MEANS AND METHODS OF THE CONSPIRACY

8. The conspirators used the following means and methods, among others, to accomplish the objects of the Conspiracy:

9. **LOVE** would and did coordinate the activities of the Conspiracy from prison through the use of cellular telephones, even though, as an inmate, he was not permitted to possess cellular telephones.

10. **LOVE** would and did use cellular telephones to communicate with the other conspirators by means of text messages, phone calls, and messages on various social media platforms, including Facebook, Instagram, and Snapchat.

11. **LOVE** would and did use cellular telephones to receive and send money and to direct the transfer of money by others, by means of digital payment platforms such as PayPal and CashApp, among other digital payment methods.

12. In addition to using digital payment methods, the conspirators would and did use money transfer services, such as Moneygram and Western Union, to send each other money in furtherance of the Conspiracy.

13. **LOVE** would and did direct the Facilitator to travel to meet **IRVING** to buy drugs obtained from bulk distributors, including methamphetamine and heroin.

14. **LOVE** provided the Facilitator with money to buy the drugs from the bulk distributors.

15. Bulk distributors, including those connected with **IRVING**, would and did sell large quantities of drugs to the Facilitator.

16. The Facilitator would and did transport large quantities of drugs from **IRVING** and others back to the Northern District of Oklahoma.

17. The Facilitator would and did travel to meet mid-level drug dealers, including **EASTWOOD**, to sell drugs obtained from the bulk distributors.

18. The money that the Facilitator received from selling drugs went to **LOVE**, to be kept, spent, and used to buy more drugs, at **LOVE**'s discretion.

19. **LOVE** would and did profit financially by selling drugs to mid-level drug dealers at higher prices than what **LOVE** had paid.

20. **LOVE** would and did pay the Facilitator for his/her participation in the Conspiracy in amounts set at **LOVE**'s discretion.

21. **LOVE** controlled all details of the Facilitator's involvement in the Conspiracy, including when to travel, where to travel, what quantities of drugs to buy and sell, and what prices to pay and receive for drugs.

22. **LOVE** would at times increase his profits by directing the Facilitator to combine the drugs bought from bulk distributors with other substances to increase the total weight of substances that would be sold to mid-level drug dealers.

23. **LOVE** would at times direct the Facilitator to deliver drugs to **LOVE**'s brother, who lived in the Northern District of Oklahoma.

24. **LOVE** would and did threaten violent acts, against the Facilitator and others, to demonstrate **LOVE**'s control within the Conspiracy.

25. The Facilitator would and did use a firearm to protect drugs and drug proceeds, in furtherance of the conspiracy, with **LOVE**'s knowledge and approval.

OVERT ACTS

26. On or about January 26, 2018, **LOVE** discussed with the Facilitator the drugs he planned to buy for resale and the prices he planned to pay for them.

27. On or about January 29, 2018, **LOVE** directed the Facilitator to help **LOVE** obtain and then distribute \$10,000 worth of drugs.

28. On or about January 30, 2018, the Facilitator reminded **LOVE** that the Facilitator carried a firearm for protection when the Facilitator was transporting **LOVE**'s drugs and drug proceeds.

29. On or about February 3, 2018, **LOVE** directed the Facilitator to travel to Arizona to buy drugs from **IRVING**.

30. On or about November 9, 2018, **EASTWOOD** sent \$1300 through Western Union to **IRVING**'s wife, to pay for drugs from **IRVING**.

31. On or about November 22, 2018, the Facilitator sent \$1500 through Western Union to **IRVING**'s wife, to pay for drugs from **IRVING**.

32. From on or about November 22, 2018, to on or about December 3, 2018, **IRVING**, using phone number 602-473-3736, communicated with **LOVE**, using phone number 918-399-6260 from prison, over 600 times.

33. On or about November 30, 2018, **IRVING** talked by phone with a potential supplier about obtaining bulk quantities of methamphetamine and heroin to resell.

34. On or about December 2, 2018, **IRVING** talked by phone with a potential supplier of methamphetamine and heroin, and a third individual working with **IRVING** and **LOVE**, about prices for obtaining bulk quantities of methamphetamine and heroin to resell.

35. On or about December 3, 2018, **IRVING** talked by phone with a potential supplier about traveling to Mexico with the supplier to obtain better prices on bulk quantities of methamphetamine and heroin to resell.

36. On or about December 16, 2018, **LOVE**, the Facilitator, and **EASTWOOD**, conducted a methamphetamine transaction, using text messages to arrange a meeting.

37. On or about December 19, 2018, **LOVE** told the Facilitator that he could kill a person with whom the Facilitator had a social relationship.

38. On or about December 20, 2018, the Facilitator sold heroin to **EASTWOOD**.

39. On or about December 20, 2018, **LOVE** and the Facilitator sold more heroin to **EASTWOOD** that day, using text messages to arrange a meeting.

40. On or about December 21, 2018, **LOVE** and the Facilitator sold methamphetamine to **EASTWOOD**, using text messages to arrange a meeting.

41. On or about December 24, 2018, **LOVE** and the Facilitator sold methamphetamine to **EASTWOOD**, using text messages to arrange a meeting.

42. On or about December 26, 2018, **LOVE** threatened to kill the Facilitator if the Facilitator betrayed **LOVE**.

43. On or about December 29, 2018, **LOVE** and the Facilitator sold methamphetamine to **EASTWOOD**, using text messages to arrange a meeting.

44. On or about December 31, 2018, **LOVE** and the Facilitator sold drugs to an unknown individual near the intersection of 41st Street and Yale Avenue in Tulsa, Oklahoma, using text messages to arrange a meeting.

45. On or about January 2, 2019, **EASTWOOD** sent \$2000 through RIA Money Transfer to the Facilitator to pay for drugs.

46. On or about January 7, 2019, **LOVE** directed the Facilitator to take \$500 to **LOVE**'s "auntie."

47. On or about January 23, 2019, **LOVE** suggested to the Facilitator that, while **IRVING** was in possession of a large quantity of drugs, they should kill **IRVING** and steal the drugs.

48. On or about January 23, 2019, **LOVE** suggested to the Facilitator that they buy some heroin to sell, in order to stabilize their finances.

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

COUNT TWO
[21 U.S.C. §§ 846 and 841(b)(1)(C)]

Beginning as early as in or about January 2019 and continuing until on or about February 7, 2019, in the Northern District of Oklahoma and elsewhere, the defendant, **TYMALK QUANE LOVE**, a/k/a “Tymalk Laquane Love,” a/k/a “Qwan,” a/k/a “Loom,” a/k/a “Loc Loom,” did knowingly, intentionally, and willfully conspire, confederate, and agree with others known and unknown to the Grand Jury to distribute and to possess with intent to distribute fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

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

COUNT THREE

[21 U.S.C. §§ 952(a), 960(a)(1) and (b)(3), and 18 U.S.C. § 2]

On or about January 16, 2019, in the Northern District of Oklahoma, and elsewhere, the defendant, **TYMALK QUANE LOVE**, a/k/a “Tymalk Laquane Love,” a/k/a “Qwan,” a/k/a “Loom,” a/k/a “Loc Loom,” did import and bring into the United States from a place outside thereof, fentanyl, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 952(a), 960(a)(1) and (b)(3), and Title 18, United States Code, Section 2.

COUNT FOUR
[18 U.S.C. §§ 545 and 2]

From on or about January 16, 2019, to on or about February 7, 2019, in the Northern District of Oklahoma and elsewhere, the defendant, **TYMALK QUANE LOVE**, a/k/a “Tymalk Laquane Love,” a/k/a “Qwan,” a/k/a “Loom,” a/k/a “Loc Loom,” fraudulently and knowingly imported and brought into the United States, contrary to law, merchandise, specifically fentanyl, a Schedule II controlled substance, and received, concealed, bought, sold, and facilitated the transportation, concealment, and sale of such merchandise after importation into the United States, knowing the merchandise to have been imported and brought into the United States contrary to law.

All in violation of Title 18, United States Code, Sections 545 and 2.

COUNTS FIVE THROUGH TWENTY-SEVEN
[21 U.S.C. § 843(b)]

On or about the dates and times listed below, in the Northern District of Oklahoma and elsewhere, the defendant, **TYMALK QUANE LOVE**, a/k/a “Tymalk Laquane Love,” a/k/a “Qwan,” a/k/a “Loom,” a/k/a “Loc Loom,” did knowingly and intentionally use a communication facility, specifically a telephone, in committing, causing, and facilitating the commission of acts constituting felonies under Title 21, United States Code, Sections 846, 841(a)(1), 841(b)(1)(A)(viii), and 841(b)(1)(C), that is, drug conspiracy, as described in Counts One and Two of this Second Superseding Indictment, as set forth in the chart below:

Count	Date	Time (Central)	Telephone Number Used	Description of Communication
5	1/26/2018	10:40 a.m.	918-284-0016	LOVE tells the Facilitator that LOVE plans to sell marijuana, methamphetamine, heroin, and prescription medications
6	1/29/2018	8:03 p.m.	918-284-0016	LOVE tells the Facilitator he is about to entrust the Facilitator with \$10,000 worth of drugs
7	1/29/2018	9:23 p.m.	918-284-0016	LOVE explains that he will send customers to the Facilitator to buy drugs
8	1/30/2018	1:33 p.m.	918-284-0016	LOVE tells the Facilitator to be careful with the drugs he/she is delivering because people might try to rob him/her
9	1/30/2018	1:40 p.m.	918-284-0016	LOVE acknowledges that the Facilitator will carry a gun with him/her when delivering drugs for LOVE
10	2/3/2018	2:27 a.m.	918-284-0016	LOVE asks the Facilitator to get a package of drugs from IRVING for \$10,000

Count	Date	Time (Central)	Telephone Number Used	Description of Communication
11	2/3/2018	2:30 a.m.	918-284-0016	LOVE sends the Facilitator IRVING 's business address in Arizona
12	12/10/2018	3:14 p.m.	918-399-6260	LOVE explains to the Facilitator that he could not answer the phone because he was talking to IRVING
13	12/16/2018	8:00 p.m.	918-399-6260	LOVE provides the Facilitator with a phone number to call EASTWOOD to coordinate a sale of methamphetamine
14	12/24/2018	3:29 p.m.	918-399-6260	LOVE provides the Facilitator with instructions for where to send money
15	12/24/2018	11:13 p.m.	918-399-6260	LOVE provides the Facilitator with an Arkansas address to meet EASTWOOD to conduct a drug transaction
16	12/29/2018	6:04 p.m.	918-399-6260	LOVE provides the Facilitator with an Arkansas address to meet EASTWOOD to conduct a drug transaction
17	1/17/2019	10:20 a.m.	918-606-9773	LOVE asks the Facilitator to check the status of the package of fentanyl pills
18	1/17/2019	10:26 a.m.	918-606-9773	LOVE provides the Facilitator with the FedEx Tracking Number for the fentanyl pills
19	1/17/2019	10/27 a.m.	918-606-9773	LOVE provides the Instagram account name for the source of supply for the fentanyl pills
20	1/17/2019	10:35 a.m.	918-606-9773	LOVE tells the Facilitator that (s)he should be able to determine the package's arrival date using the FedEx tracking number
21	1/18/2019	6:13 p.m.	580-485-8460	LOVE gives the Facilitator instructions about where to make a payment

Count	Date	Time (Central)	Telephone Number Used	Description of Communication
22	1/21/2019	12:30 p.m.	580-485-8460	LOVE gives the Facilitator instructions about where to make a payment
23	1/21/2019	5:11 p.m.	580-485-8460	LOVE tells the Facilitator that in addition to the fentanyl pills LOVE has access to \$25,000 worth of methamphetamine
24	1/22/2019	8:14 a.m.	580-485-8460	LOVE asks the Facilitator to check the status of the package containing fentanyl pills
25	1/22/2019	unknown	580-485-8460	LOVE tells the supplier of fentanyl pills that he dislikes waiting for the pills and says he will go back to getting drugs from IRVING after this deal
26	1/23/2019	2:49 a.m.	580-485-8460	LOVE suggests to the Facilitator that they get a group together to kill IRVING and steal his drugs
27	1/23/2019	10:37 p.m.	580-485-8460	LOVE suggests that LOVE and the Facilitator obtain some heroin to sell

All in violation of Title 21, United States Code, Section 843(b).

COUNTS TWENTY-EIGHT THROUGH THIRTY-FOUR
[21 U.S.C. § 843(b)]

On or about the dates and times listed below, in the Northern District of Oklahoma and elsewhere, the defendant, **CASEY JOE EASTWOOD**, a/k/a “Joe Eastwood,” a/k/a “Red,” did knowingly and intentionally use a communication facility, specifically a telephone, in committing, causing, and facilitating the commission of acts constituting felonies under Title 21, United States Code, Sections 846, 841(a)(1), 841(b)(1)(A)(viii), and 841(b)(1)(C), that is, drug conspiracy, as described in Count One of this Second Superseding Indictment, as set forth in the chart below:

Count	Date	Time (Central)	Telephone Number Used	Description of Communication
28	12/16/2018	8:08 p.m.	479-325-4028	EASTWOOD texts an address where the Facilitator can meet him to sell him drugs
29	12/16/2018	8:19 p.m.	479-325-4028	EASTWOOD asks what quantity of drugs the Facilitator is going to sell him
30	12/16/2018	8:40 p.m.	479-325-4028	EASTWOOD describes his car so the Facilitator can find him to sell him drugs
31	12/16/2018	10:20 p.m.	479-325-4028	EASTWOOD describes his precise location so the Facilitator can find him to sell him drugs
32	12/20/2018	12:22 a.m.	479-325-4028	EASTWOOD describes the truck he is driving so the Facilitator can find him to sell him drugs
33	12/20/2018	1:17 a.m.	479-325-4028	EASTWOOD confirms that the Facilitator gave him heroin
34	12/20/2018	7:38 p.m.	479-325-4028	EASTWOOD tells the Facilitator he is running late to his meeting to buy drugs from the Facilitator

All in violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-FIVE
[18 U.S.C. § 924(c)(1)(A)(i)]

On or about January 31, 2018, in the Northern District of Oklahoma and elsewhere, in furtherance of the conspiracy charged in Count One of this Second Superseding Indictment, and in a manner reasonably foreseeable to the defendant, **TYMALK QUANE LOVE**, a/k/a “Tymalk Laquane Love,” a/k/a “Qwan,” a/k/a “Loom,” a/k/a “Loc Loom,” the Facilitator, a person known to **LOVE** and to the Grand Jury, as identified more fully in Count One of this Second Superseding Indictment, did knowingly possess a firearm, that is, a Taurus, PT111 G2, 9mm caliber pistol, bearing serial number TIU57821, in furtherance of a drug trafficking crime for which the Facilitator and **LOVE** may be prosecuted in a court of the United States, that is, Drug Conspiracy, a violation of Title 21, United States Code, Section 846, as set forth more fully in Count One of this Second Superseding Indictment.

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

COUNT THIRTY-SIX
[18 U.S.C. § 924(c)(1)(A)(i)]

On or about February 7, 2019, in the Northern District of Oklahoma and elsewhere, in furtherance of the conspiracy charged in Count Two of this Second Superseding Indictment, and in a manner reasonably foreseeable to the defendant, **TYMALK QUANE LOVE**, a/k/a “Tymalk Laquane Love,” a/k/a “Qwan,” a/k/a “Loom,” a/k/a “Loc Loom,” the Facilitator, a person known to **LOVE** and to the Grand Jury, as identified more fully in Count One of this Second Superseding Indictment, did knowingly possess a firearm, that is, a Taurus, PT111 G2, 9mm caliber pistol, bearing serial number TIU57821, in furtherance of a drug trafficking crime for which the Facilitator and **LOVE** may be prosecuted in a court of the United States, that is, Drug Conspiracy, a violation of Title 21, United States Code, Section 846, and Importation of Fentanyl, a violation of Title 21, United States Code, Section 952(a), as set forth more fully in Counts Two and Three of this Second Superseding Indictment.

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

FORFEITURE ALLEGATION

**[21 U.S.C. § 853, 18 U.S.C. § 982(a)(2)(B), 18 U.S.C. § 545, 18 U.S.C. § 924(d)(1) and
28 U.S.C. § 2461(c)]**

The allegations contained in this Second Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853, Title 18, United States Code, Section 982(a)(2)(B), Title 18, United States Code, Section 545, Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

Upon conviction of any of the offenses alleged in this Second Superseding Indictment, as a part of their sentences, the defendants, **TYMALK QUANE LOVE**, a/k/a “Tymalk Laquane Love,” a/k/a “Qwan,” a/k/a “Loom,” a/k/a “Loc Loom,” **ANTHONY WARD IRVING**, a/k/a “Ant,” and **CASEY JOE EASTWOOD**, a/k/a “Red,” shall forfeit to the United States any property constituting, or derived from, or traceable to, the proceeds obtained, directly or indirectly, as a result of such violations, and any property, real or personal, that was used or intended to be used to commit or to facilitate the violation of federal law. The property to be forfeited includes, but is not limited to:

MONEY JUDGMENT

A money judgment in an amount of at least \$201,800, representing proceeds obtained by **TYMALK QUANE LOVE** as a result of the offenses;

A money judgment in an amount representing proceeds obtained by **ANTHONY WARD IRVING** as a result of the offenses; and

A money judgment in an amount representing proceeds obtained by **CASEY JOE EASTWOOD** as a result of the offenses.

Further, upon conviction of the firearms offenses alleged in Count 35 and 36 of this

Second Superseding Indictment, as a part of his sentence, the defendant, **TYMALK QUANE LOVE**, a/k/a “Tymalk Laquane Love,” a/k/a “Qwan,” a/k/a “Loom,” a/k/a “Loc Loom,” shall forfeit to the United States, any firearm and ammunition involved in or used in the knowing commission of such offenses. The property to be forfeited includes, but is not limited to:

FIREARM AND AMMUNITION

A Taurus, PT111 G2, 9mm caliber pistol, bearing serial number TIU57821.

All pursuant to Title 21, United States Code, Section 853; Title 18, United States Code, Section 982(a)(2)(B); Title 18, United States Code, Section 545; Title 18, United States Code, Section 924(d)(1); and Title 28, United States Code, Section 2461(c).

R. TRENT SHORES
UNITED STATES ATTORNEY



THOMAS E. DUNCOMBE
Assistant United States Attorney

A TRUE BILL

/s/ Grand Jury Foreperson
Grand Jury Foreperson