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JPL:IND/Poindexter(2003R00007)

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

2003 MAY -1 P 5:13

UNITED STATES OF AMERICA

: CRIMINAL NO.

CLERK'S OFFICE
DEPT. OF JUSTICE
BALTIMORE
030213

v.

: (Conspiracy to ~~Distribute~~ and
Possess With Intent to

WALTER ORILEY POINDEXTER,
a/k/a "Fella,"
DEON LIONNEL SMITH

: Distribute Heroin,
21 U.S.C. § 846;
: Distribution of Heroin
21 U.S.C. § 841)

DEPUTY

.. .. ooo UNDER SEAL

INDICTMENT

The Grand Jury for the District of Maryland charges that:

From in or about 2000, continuing thereafter up to in or about
January 2003, within the State and District of Maryland and
elsewhere,

WALTER ORILEY POINDEXTER, a/k/a "Fella,"
and
DEON LIONNEL SMITH,

the defendants herein, did knowingly, intentionally, and unlawfully
combine, conspire, confederate and agree with each other and with
other persons, known and unknown to the Grand Jury, to knowingly,
intentionally and unlawfully distribute and possess with intent to
distribute one (1) kilogram or more of a mixture or substance
containing a detectable amount of heroin, a Schedule I narcotic
controlled substance, in violation of Title 21 United States Code,
section 841(a)(1) and (b)(1)(A).

OBJECT OF THE CONSPIRACY

2. At all times material herein, the object of the charged defendants and other co-conspirators was to obtain quantities of heroin with the intent to distribute said substances for the purpose of making money.

METHOD AND MEANS USED TO FACILITATE THE CONSPIRACY

3. Among the methods and means used by the defendants and other co-conspirators to carry out the object of the conspiracy were the following:

a. Members of the conspiracy utilized various locations in Baltimore City and Baltimore County to cut and package heroin for street level sale, including but not limited to 3609 Spaulding Avenue, Baltimore, Maryland; 911 West 36th Street, Baltimore, Maryland; and 19 Wellspring Circle, Owings Mills, Maryland.

b. Members of the conspiracy, including WALTER ORILEY POINDEXTER, a/k/a "Fella," DEON LIONNEL SMITH and others, carried and used firearms to protect the narcotic drugs they acquired as well as the cash proceeds derived from the street level distribution of their narcotic drugs.

c. Members of the conspiracy used different apartments and houses in Baltimore to stash and secrete their drugs, proceeds, firearms, ammunition, and other drug paraphernalia, including, but not limited to 3609 Spaulding Avenue, Baltimore, Maryland; 911 West 36th Street, Baltimore, Maryland; and 19 Wellspring Circle, Owings

Mills, Maryland.

d. Members of the conspiracy, including but not limited to WALTER ORILEY POINDEXTER, a/k/a "Fella," and others utilized physical force against members of the conspiracy and against members of rival drug conspiracies to maintain their reputation in the community, to preserve their own territory, to punish members of the conspiracy who cheated or stole from the conspiracy, and to defend and maintain the loyalty of the members of their own organization.

OVERT ACTS

4. In furtherance of the conspiracy, and to effect the objects thereof, the defendants named above participated in and committed the following acts, among others, in the District of Maryland:

a. During the course of the conspiracy, WALTER ORILEY POINDEXTER, a/k/a "Fella", DEON LIONNEL SMITH and others established a heroin distribution network.

b. During the course of the conspiracy, WALTER ORILEY POINDEXTER, a/k/a "Fella" and DEON LIONNEL SMITH purchased and supplied one kilogram or more of heroin for distribution to other drug dealers.

c. During the course of the conspiracy, WALTER ORILEY POINDEXTER, a/k/a "Fella," and DEON LIONNEL SMITH utilized Stash House Records, a music recording studio located at 911 West 36th Street, Baltimore, Maryland, as a place to sell and store heroin for

distribution by the conspiracy.

d. During the course of the conspiracy, **WALTER ORILEY POINDEXTER, a/k/a "Fella"**, and others sold heroin under the street name "9-11."

e. During the course of the conspiracy, **WALTER ORILEY POINDEXTER, a/k/a "Fella,"** and **DEON LIONNEL SMITH** used manitol and other cutting agents to increase the quantities of heroin for the purpose of maximizing profits from heroin sales.

f. On January 22, 2001, **WALTER ORILEY POINDEXTER, a/k/a "Fella,"** shot and killed **ALVIN JONES, a/k/a "L,"** because **POINDEXTER** believed that **JONES** was responsible for burglarizing the stash house where the conspirators stored their heroin, money, and firearms.

21 U.S.C. §§ 846

COUNT TWO

And the Grand Jury for the District of Maryland further charges that:

On or about September 11, 2002, in the State and District of Maryland, the defendant,

WALTER ORILEY POINDEXTER,
a/k/a "Fella,"

did knowingly, intentionally and unlawfully distribute a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

21 U.S.C. §§ 841(a)(1) and (b)(1)(C)