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8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,) 1:11-CV-00783-AWI-SKO
)
12 Plaintiff,) ORDER REGARDING CLERK'S
) ISSUANCE OF WARRANT FOR
13 v.) ARREST OF ARTICLES <i>IN REM</i>
)
14 2007 FORD F-150 PICKUP TRUCK,)
15 LICENSE NUMBER 8X28407, VIN:)
1FTPW12V67KA73125,)
)
16 Defendant.)
)
17)

18 WHEREAS, a Verified Complaint for Forfeiture *In Rem* has been filed on
19 May 13, 2011, in the United States District Court for the Eastern District of
20 California, alleging that the defendant 2007 Ford F-150 Pickup Truck, License
21 Number 8X28407, VIN: 1FTPW12V67KA73125 (hereafter "defendant vehicle") is
22 subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6) for one or
23 more violations of 21 U.S.C. §§ 841 *et seq.*;

24 And, the Court being satisfied that, based on the Verified Complaint for
25 Forfeiture *In Rem* and the affidavit of Drug Enforcement Administration Special
26 Agent Randall Hoover, there is probable cause to believe that the defendant vehicle
27 so described constitutes property that is subject to forfeiture for such violation(s),
28 and that grounds for the issuance of a Warrant for Arrest of Articles *In Rem* exist,

1 pursuant to Rule G(3)(b)(i) of the Supplemental Rules for Admiralty or Maritime
2 Claims and Asset Forfeiture Actions;

3 IT IS HEREBY ORDERED that the Clerk for the United States District
4 Court, Eastern District of California, shall issue a Warrant for Arrest of Articles *In*
5 *Rem* for the defendant vehicle.

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7 Dated: 5/26/11


JENNIFER L. THURSTON
United States Magistrate Judge

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AFFIDAVIT OF RANDALL HOOVER

1, Randall Hoover, being first duly sworn under oath, depose and say:

1. I am employed by the United States Department of Justice, Drug Enforcement Administration ("DEA"), as a Special Agent and have been so employed since September 2004, and assigned to the Bakersfield Resident Office since March 2005. As a DEA Special Agent ("SA"), I am charged specifically with the enforcement of the Controlled Substances Act and the investigation of Federal drug violations, including but not limited to, Title 21, United States Code (U.S.C.), Sections 841(a)(1) and 846. I received sixteen weeks of training in narcotics investigations at the DEA Justice Center at Quantico, Virginia. I have participated in investigations of organizations trafficking in controlled substances and, among other things, have conducted or participated in surveillances, the execution of search warrants, and debriefing of informants. Through my training, education, and experience, I have become familiar with the manner in which drug traffickers conduct their illicit activities. I have been the case agent for, or have assisted in, several narcotics investigations which have led to the seizure of narcotics and arrests of numerous individuals. I have discussed with numerous law enforcement officers, cooperating defendants, and informants, the methods and practices used by narcotics distributors.

2. Based on my training and experience, and working closely with other law enforcement officers, I have become very familiar with criminal methods used to manufacture, possess, package, conceal, transport, and distribute narcotics. I have made or participated in numerous drug-related arrests and conducted complex narcotics investigations. I have testified in state and federal courts concerning criminal controlled substances charges. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, in that I am an officer of the United States, empowered by law to conduct investigations and make arrests for offenses enumerated in Title 18, United States Code, Section 2516. The facts

1 set forth in this affidavit are known to me as a result of my investigation and interviews
2 with agents and officers who are named in this affidavit.

3 3. This affidavit is made in support of a warrant for arrest of defendant 2007
4 Ford F-150 Pickup Truck, License Number 8X28407, VIN: 1FTPW12V67KA73125
5 (hereafter "defendant vehicle"). The defendant vehicle constitutes a thing of value
6 furnished or intended to be furnished in exchange for a controlled substance or listed
7 chemical, and proceeds traceable to such an exchange, and was used or intended to be
8 used to facilitate one or more violations of 21 U.S.C. § 841 *et seq.* As a result of the
9 foregoing, the defendant vehicle is subject to forfeiture to the United States pursuant to
10 21 U.S.C. § 881(a)(6).

11 4. The facts set forth in this affidavit are known to me as a result of reviewing
12 official reports, documents, and other evidence obtained as a result of the investigation,
13 and through conversations with other agents and detectives who have participated in the
14 investigation and I have determined the following:

15 5. In or about the beginning of 2009, law enforcement agents with the San
16 Antonio, Texas Drug Enforcement Administration and Bakersfield, California Drug
17 Enforcement Administration ("DEA") began an investigation concerning the
18 methamphetamine sales and distribution activities of Adan Montalvo (hereafter
19 "Montalvo") and his Drug Trafficking Organization ("DTO"). The investigation revealed
20 that the Montalvo DTO was operating in both Austin, Texas and Bakersfield, California.
21 The investigation also revealed that Robin Strickland, Greg Farris, and other co-
22 conspirators were actively involved in the sale and distribution of methamphetamine for
23 the Montalvo DTO. In June 2009, Robin Strickland was arrested by the Houston Police
24 Department for possession of a controlled substance and subsequently sentenced to 12
25 years in prison.

26 6. In February 2010, agents met with a confidential source ("CS") concerning
27 the drug trafficking activities of Montalvo. During this meeting the CS confirmed that
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1 Robin Strickland was a distributor for the Montalvo DTO and stated that at the time of
2 his arrest Robin Strickland owed Montalvo approximately \$40,000.00. The CS stated
3 that Montalvo had directed him/her to take possession of the Ford pickup owned by Robin
4 Strickland. The CS advised that s/he had contacted an acquaintance by the name of
5 Roger Peters and tasked him with obtaining the Ford pickup for Montalvo from Roy
6 Strickland, Robin Strickland's father. The CS stated that Roger Peters failed to obtain
7 the Ford pickup, whereupon the CS contacted Greg Farris, who agreed to take possession
8 of the Ford pickup from Roy Strickland and change the title on the vehicle. The CS
9 stated that Greg Farris was aware that Robin Strickland's pickup was collateral for a
10 drug debt owed by Robin Strickland to Montalvo. The CS advised that on or about
11 December 22, 2009, Greg Farris retrieved the Ford pickup and met with Montalvo near
12 San Marcos, Texas to give Montalvo the vehicle. The CS stated that Greg Farris told
13 Montalvo that he would use his car business to re-title the truck in Montalvo's name.

14 7. On July 13, 2010, agents with the DEA Bakersfield Resident Office, in
15 conjunction with agents from the DEA San Antonio District Office and the Bakersfield
16 Police Department, executed a search warrant at the residence of Montalvo located at 25
17 Columbus Boulevard, in Bakersfield, California. Upon entry into the residence, agents
18 encountered Montalvo, his mother Agida Montalvo, Motalvo's brother Hilario Montalvo,
19 Jr., and Montalvo's minor daughter. Montalvo was read his *Miranda* rights and agreed
20 to speak with agents. Montalvo told agents that illegal narcotics were in a violin case in
21 his bedroom.

22 8. Agents subsequently found and seized 34.20 grams of methamphetamine
23 from a violin case, located in the middle bedroom of the residence. In the south bedroom
24 of the residence, agents found \$3,200.00 in U.S. Currency. When asked about the
25 currency, Montalvo, his mother, his brother, and his minor child claimed to have no
26 knowledge of it. During the execution of the search warrant at Montalvo's residence,
27 agents also located the defendant vehicle, and seized it based on information that it was
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1 given to Montalvo to satisfy a drug debt.

2 9. During a subsequent interview with agents, Montalvo admitted to
3 distribution of 5-to-10 pound quantities of methamphetamine to Central Texas monthly.
4 Montalvo also stated that he paid Greg Farris \$500 to deliver the defendant vehicle to
5 him near San Marcos, Texas in January of 2010, and that Greg Farris knew that the
6 defendant vehicle was payment for a drug debt.

7 10. On August 24, 2010, a DEA Task Force Officer and Special Agent
8 interviewed Roy Strickland at his residence in Live Oak, Texas. During the interview,
9 Roy Strickland stated that his son, Robin Strickland, had contacted him and asked him to
10 find out if the defendant vehicle seized in Bakersfield, California, was the same truck
11 previously registered to Robin Strickland. Roy Strickland stated that his son, Robin, had
12 purchased a 2007 Ford pickup while living in Austin, Texas, and that Roy Strickland had
13 picked up the vehicle and other items belonging to his son, upon Robin Strickland's arrest
14 in 2009 in Houston, Texas. Roy Strickland stated that he paid off the 2007 Ford pickup
15 and registered the vehicle in his name during Robin Strickland's incarceration.

16 11. Roy Strickland advised that in December 2009, he was contacted at his
17 residence by a white male subject who claimed to be a vehicle reposessor working for
18 "Andy" Adán Montalvo. Roy Strickland stated that the male subject, later identified as
19 Greg Farris, stated that he was there to pick up the defendant vehicle which was a debt
20 owed to Montalvo by Robin Strickland. Roy Strickland advised that Greg Farris had Roy
21 Strickland talk to Montalvo directly via telephone concerning the truck. Roy Strickland
22 stated that he refused to release the truck to Greg Farris without first talking to his son.


23 12. Roy Strickland advised that he talked with his son Robin Strickland a few
24 days later, and that Robin Strickland told Roy Strickland to let Greg Farris take the
25 truck to Montalvo. Roy Strickland stated that he then re-registered the defendant vehicle
26 in Robin Strickland's name, because he knew that his son had distributed narcotics for
27 Montalvo and he (Roy Strickland) did not want anyone with ties to drug dealers
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1 interfering with his livelihood. Roy Strickland advised that Greg Farris showed up at
2 his residence a week later and took possession of the defendant vehicle.

3 13. Roy Strickland stated that he subsequently brought up the defendant
4 vehicle approximately a month later during a phone conversation with his son and that
5 Robin Strickland told him not to file a police report for the missing vehicle. Roy
6 Strickland stated to the agents that he felt the defendant vehicle was some kind of debt
7 owed to Montalvo and that he did not want to have anything else to do with it or any of
8 Robin Strickland's former associates.

9 14. On July 7, 2010, a Grand Jury in the Western District of Texas indicted
10 Adan Montolvo, and others with violation of 21 U.S. C. § 846 to violate 21 U.S.C. §§
11 841(a)(1) and 841(b)(1)(A)(I)- Conspiracy to Distribute Methamphetamine.

12 15. Based on the foregoing, it is respectfully requested that a Warrant for Arrest
13 of Articles *In Rem*, pursuant to the Supplemental Rules for Admiralty or Maritime
14 Claims and Asset Forfeiture Actions Rule G(3)(b)(I), be issued for the defendant vehicle.

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16 
17 RANDALL HOOVER
18 Special Agent
Drug Enforcement Administration

19 Sworn to and Subscribed before me
20 this 26th day of May 2011.

21 
22 Honorable JENNIFER L. THURSTON
United States Magistrate Judge

23
24 Reviewed and approved as to form

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26 DAVID T. SHELLDY
27 Assistant United States Attorney
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