

AFFIDAVIT IN SUPPORT OF APPLICATION FOR ORDERS OF LIS PENDENS

I, Special Agent Eric Pelletier, with the Charlotte Field Office of the Federal Bureau of Investigation (FBI), Department of Justice, being duly sworn, state as follows:

BACKGROUND

1. I, Eric Pelletier, have been a Special Agent for the FBI since July of 2009. I am therefore an officer of the United States who is empowered to conduct investigations of, and to make arrests for, the offenses enumerated in Title 18, United States Code, Section 2516.

2. I attended the basic agent training program in Quantico, Virginia during 2009. Prior to my employment with the FBI, I was employed in the financial sector for eight years. I am currently assigned to the Public Corruption squad at the Charlotte Division of the Federal Bureau of Investigation.

3. In my current capacity, I am assigned to investigations involving public corruption, money laundering, conspiracy and Hobbs Act violations. Additionally, I have received training in the investigation of illegal narcotics activities and the laundering of the proceeds of specified unlawful activities at the FBI Academy at Quantico, Virginia. My training has continued through numerous in-service training seminars. I have participated in various methods of investigation, including, but not limited to, undercover operations and the use of undercover agents, consensual monitoring, physical surveillances, interviews of witnesses and defendants, the use of search warrants, the use of seizure warrants, the use of confidential informants, the use of pen registers, and the use of intercepted wire communications.

4. I am also familiar, through my training and experience, with the habits and practices of persons engaged in violations of controlled substance laws. Additionally, I am familiar with practices used by controlled substance traffickers involving the collection of money proceeds of

narcotics trafficking and associated money laundering methods used to conceal the nature of these proceeds, including the language and terms used to disguise the source and nature of the profits of illegal narcotics dealing.

5. During the course of my eight-plus years as a Special Agent, I have worked on numerous matters that utilized court ordered wire-intercepts. These matters included public corruption investigations, illegal drug investigations, gang investigations, and other violent crime investigations.

6. I have conducted and participated in investigations regarding the unlawful possession and distribution of narcotics, as well as related money laundering offenses involving the proceeds of specified unlawful activities and conspiracies associated with criminal narcotics, in violation of 21 U.S.C. §§ 841(a)(1), 843(b), 846; and, 18 U.S.C. §§ 1951, 1956, 1957 and 2.

7. The statements contained in this Affidavit are based on my investigation, information provided by agents and task force officers (TFO), conversations held with and/or reports from officers and agents from other law enforcement agencies, confidential informants, surveillances, information gathered by telephone toll records and analysis, and on my and other agents' training, experience, and background as agents of the FBI. I am familiar with the facts and circumstances of this investigation and the information contained in this affidavit is provided for the limited purpose of establishing probable cause; therefore, I have not included each and every fact known to me concerning this investigation.

8. This Affidavit is made in support of Applications for Orders of *Lis Pendens* for the following locations: 367 Tarpin Town Road, Polkton, NC, 366 Tarpin Town Road, Polkton, NC, 415 Tarpin Town Road, Polkton, NC, 15 W. Polk Street, Polkton, NC, and 17/21

W. Polk Street, Polkton, NC.

**MARTIN'S DRUG TRAFFICKING RING RUN FROM SUBJECT
PROPERTIES**

9. WALTER CLIFTON MARTIN Jr. ("MARTIN"), 56 years-old, is a resident of Polkton, North Carolina and is self-employed as the owner of WMJ ENTERPRISES. WMJ ENTERPRISES manages trailer parks, primarily in Anson County, North Carolina, on MARTIN's behalf.

10. Over the past several months your affiant has investigated MARTIN's participation in, and coordination of, a drug trafficking conspiracy in at least the Anson County, North Carolina, Union County, North Carolina and Chesterfield County, South Carolina areas.

11. As is described in full detail below, in order to carry out his drug distribution conspiracy, MARTIN employs "runners", who will deliver and pick up controlled substances on MARTIN's behalf, as well as personally deliver and pick up narcotics himself.

12. The investigation has confirmed that MARTIN, or a member of his organization, has kept, taken delivery of, or sold, some quantity of the controlled substances in the locations listed herein: The investigation has confirmed that the substances trafficked include cocaine and methamphetamine, among other controlled substances.

13. MARTIN controls his drug trafficking organization primarily through five separate locations, owned by him. These locations are:

366 Tarpin Town Road, Polkton, North Carolina

366 Tarpin Town Road is MARTIN's primary residence. This address is on approximately 90 acres and has a residence on it. This address is commonly referred to as, "The Clubhouse" by MARTIN and most of the members of his organization.

367 Tarpin Town Road, Polkton, North Carolina

367 Tarpin Town Road is on approximately 60 acres and is MARTIN's main house. MARTIN's girlfriend, SARAH BELL ROMAN, primarily resides in this residence with MARTIN which is commonly referred to as, "The House" by MARTIN and most of the members of his organization. Next to "The House", 367 Tarpin Town Road, Polkton, North Carolina, is an out building that is commonly referred to as "The Barn."

415 Tarpin Town Road, Polkton, North Carolina

Sharing the plot of land with 367 Tarpin Town Road is 415 Tarpin Town Road, Polkton, North Carolina which is located on the front corner of the property. JAMES RUSSELL "RUSTY" MOORE, one of MARTIN's drug Lieutenants, resides at this residence and serves as a lookout for MARTIN among his other organization duties.

15 West Polk Street, Polkton, North Carolina

15 West Polk Street, Polkton, North Carolina, is located in downtown Polkton. It is a commercial building attached to 17/21 West Polk Street, Polkton, North Carolina. The front of the property takes the appearance of a commercial storefront the large windows and a large, red, curved awning. MICHAEL FAULKENBERRY, another of MARTIN's drug Lieutenants, resides in 15 West Polk Street with his girlfriend, JANE AYCOTH. Multiple narcotics transactions have been conducted at 15 West Polk Street including controlled buys on December 6, 2016, January 19, 2017, May 4, 2017, June 30, 2017, and August 5, 2017.

17/21 West Polk Street, Polkton, North Carolina

15 West Polk Street, Polkton, North Carolina is attached to 17/21 West Polk Street, Polkton, North Carolina. 17/21 West Polk Street, Polkton, North Carolina has business style lettering in the front window bearing "WMJ ENTERPRISES" and to your Affiant's knowledge is only used as a business address.

TARGETS OF THE CRIMINAL INVESTIGATION

14. As a result of my personal participation in this investigation and my knowledge from reports and conversations with other law enforcement officers and sources of information involved in this investigation, there is probable cause to believe that the following individuals are participating in a narcotics trafficking and money laundering conspiracy and are a part of a large- scale narcotics distribution organization that is operating within the Western District of North Carolina, the District of South Carolina and elsewhere.

15. **WALTER CLIFTON MARTIN Jr., a.k.a. CLIFF MARTIN:** a white male, DOB: 05/19/1961, Address: 367 and 366 Tarpin Town Road, Polkton, North Carolina. MARTIN is believed to function as a drug distributor responsible for distributing multiple kilograms of cocaine and methamphetamine in the Anson County and Union County areas of North Carolina as well as the Chesterfield County area of South Carolina. MARTIN has a 2008 Federal conviction for possession of a firearm by an addicted person.

16. **MICHAEL FAULKENBERRY:** a white male, DOB: 01/07/1960, Address: 15 W. Polk Street, Polkton, North Carolina. FAULKENBERRY is a narcotics distributor of multiple kilograms cocaine and methamphetamine in the Anson County area of North Carolina. FAULKENBERRY has a criminal history that includes charges for cocaine possession, solicitation to sell cocaine, attempted possession of cocaine, possession of marijuana, maintaining a vehicle/dwelling/place for a controlled substance, possession of crack cocaine, breaking and entering, receiving stolen goods, and larceny.

17. **JANE AYCOTH, a.k.a. JANE PHIFER JONES, a.k.a MELANIE JANE GRIFFLN:** a white female, DOB: 11/26/1962, Address: 15 W. Polk Street, Polkton, North Carolina. AYCOTH is the girlfriend of MICHAEL FAULKENBERRY and is believed to co-

inhabit the residence of 15 W. Polk Street, Polkton, North Carolina, with FAULKENBERRY. AYCOTH has conducted drug transactions for the organization when FAULKENBERRY is unavailable and been a conduit for communications between a confidential human source and FAULKENBERRY during the investigation. AYCOTH has no identifiable criminal history.

18. **SARAH BELL ROMAN:** a white female, DOB: 09/25/1981, Address: 367 Tarpin Town Road, Polkton, North Carolina. ROMAN is the girlfriend of WALTER CLIFTON "CLIFF" MARTIN Jr. and is believed to co-inhabit the residence of 367 Tarpin Town Road, Polkton, North Carolina with MARTIN. Confidential human source information has established that ROMAN is present during illegal narcotics transactions and has intimate knowledge of this drug trafficking organization. ROMAN is a long term associate of MARTIN's and was under surveillance with MARTIN during a 2005-2007 federal narcotics trafficking investigation by the ATF and DEA. ROMAN has a criminal history that includes charges for felony possession of cocaine, trafficking in cocaine, possession of drug paraphernalia, and maintaining vehicle dwelling place for controlled substance.

19. **JAMES RUSSELL MOORE, a.k.a. RUSTY MOORE:** a white male, DOB: 10/16/1975, Address: P.O. Box 132, Polkton, North Carolina. Confidential human source information is that MOORE is functioning as a distributor of cocaine and other narcotics, in the Anson County area of North Carolina, for the MARTIN organization. Confidential human source information as well as authorized interception of wire communication over MARTIN's phone also indicates MOORE resides on MARTIN's property at 415 Tarpin Town Road, which is adjacent to MARTIN'S home at 367 Tarpin Town Road, Polkton, North Carolina. MOORE has a criminal history record for offenses including assault on a female, injury to real property, and second degree kidnapping.

20. **STEVIE LANG:** a white female, DOB: 03/31/1970. LANG is an employee of WMJ Enterprises and a narcotics distributor in the MARTIN drug trafficking organization. LANG was intercepted during an authorized wire interception of MARTIN's phone. LANG has a criminal history that includes arrests for breaking and entering and controlled substance.

21. **BOB SCOTT CHAVIS, a.k.a. "SCOTTY":** a white male, DOB: 10/21/1968. CHAVIS was intercepted during an authorized wire interception of FAULKENBERRY's phones as well as MARTIN's phone. Those intercepted calls indicate that CHAVIS is a distributor of narcotics for MARTIN and the drug trafficking organization. CHAVIS has no discernible criminal history.

DETAILS OF THE CRIMINAL ACTIVITY GIVING RISE TO FORFEITURE

22. On July 17, 2015, a confidential human source (CHS1) provided information on MARTIN.

23. CHS1 was developed by the FBI's Safe Streets Task Force in an ongoing investigation in Union County which is adjacent to Anson County, North Carolina.

24. Agents had reason to believe CHS1 had a multitude of narcotics information related to the distribution of methamphetamine in Union County.

25. After developing a relationship with CHS1, and verifying information provided on a narcotics subject, Safe Streets Task Force agents utilized CHS1 's information in a state search warrant.

26. The successful execution of the warrant resulted in the seizure of guns and a large quantity of methamphetamine.

27. The subject of the search warrant was successfully indicted and convicted in the

Western District of North Carolina based on CHS1 's information.

28. CHS1 continues to cooperate in ongoing investigations and has made additional narcotics purchases in those investigations.

29. Your Affiant believes CHS1 to be proven reliable and truthful. CHS1 stated that MARTIN was distributing kilogram quantities of cocaine in Anson and Union Counties, North Carolina. CHS1 described a "kilo press" in MARTIN's storage building used when cutting and repackaging cocaine.

30. On July 30, 2015, CHS1 met with an associate of MARTIN'S named Jerry Polk.

31. The conversation was consensually recorded.

32. Polk told CHS1 that MARTIN was selling cocaine for \$200 for an "8-ball" [an 8-ball contains approximately 3.5 grams] and \$1,600 for an ounce.

33. Polk was not happy with the quality of cocaine being distributed by MARTIN.

34. Charlotte Division of the Federal Bureau of Investigation (FBI) initiated an investigation of MARTIN on April 27, 2016.

35. In November of 2016, Agents developed a second confidential human source (CHS2) in the investigation of MARTIN.

36. CHS2 was developed by the FBI's Safe Streets Task Force in Union County which is adjacent to Anson County, North Carolina.

37. CHS2 had a prior personal relationship with a Union County Sheriff's deputy and had narcotics information concerning FAULKENBERRY.

38. CHS2 initiated contact with the Union County Sheriff's Office to relay this information on FAULKENBERRY.

39. The initial information provided by CHS2 was previously known by the investigating agents and known to be true and accurate.

40. CHS2 only has one prior conviction for mail fraud from over twenty years ago. CHS2 went on to corroborate information on FAULKENBERRY by making controlled narcotics purchases from FAULKENBERRY in this investigation.

41. Your Affiant believes CHS2 to be proven reliable and truthful.

42. CHS2 provided information concerning FAULKENBERRY because of his friendship with JA.NE AYCOTH and his concern over her involvement with FAULKENBERRY.

43. CHS2 stated MARTIN is a kilogram level dealer of cocaine in Anson County and MICHAEL FAULKENBERRY is MARTIN's "runner."

44. CHS2 provided information that FAULKENBERRY and his girlfriend, JANE AYCOTH, reside in Polkton, North Carolina.

45. AYCOTH told CHS2 that she assisted FAULKENBERRY in breaking down two kilograms of cocaine, at their address of **15 W. Polk Street, Polkton, North Carolina**, provided to FAULKENBERRY by MARTIN.

46. On December 5, 2016, in a consensually recorded telephone call with FAULKENBERRY, CHS2 inquired, "Is that still good with them groceries?" for the next morning.

47. FAULKENBERRY responds, "Yeah, anytime you say." FAULKENBERRY continues, "If I not be here I'm gonna have it for Jane will know what to do. If I have to go somewhere, she knows what jar it's in."

48. Your Affiant believes that "groceries" means cocaine and that "she knows what

jar it's in" means FAULKENBERRY has advised Jane as to where the cocaine is located, in the residence of **15 W. Polk Street, Polkton, North Carolina**, in order to distribute cocaine to CHS2 if FAULKENBERRY is unavailable.

49. On December 6, 2016, Agents utilized CHS2 in a controlled narcotic purchase from MARTIN's organization.

50. CHS2 drove to **15 W. Polk Street, Polkton, North Carolina** and met with JANE AYCOTH.

51. Property records for Anson County show that **15 W. Polk Street, Polkton, North Carolina** is owned by WALTER CLIFF MARTIN.

52. The controlled narcotic purchase was for one half ounce of cocaine for \$700.

53. CHS2 confirmed that both FAULKENBERRY and AYCOTH reside at **15 W. Polk Street, Polkton, North Carolina**.

54. AYCOTH provided CHS2 with a baggie of cocaine and CHS2 paid AYCOTH \$700. Agents later learned from AYCOTH and FAULKENBERRY that AYCOTH had mistakenly provided CHS2 with one ounce of cocaine, not half an ounce.

55. The Drug Enforcement Administration (DEA) Laboratory later confirmed it was 27.69 grams of cocaine hydrochloride, approximately one ounce.

56. In a consensually recorded meeting, the CHS returned to 15 W. Polk Street, Polkton, North Carolina on December 19, 2016 and paid AYCOTH and FAULKENBERRY for the "fronted" cocaine.

57. On January 17, 2017, at the direction of the FBI, CHS2 ordered two ounces of cocaine from FAULKENBERRY.

58. On January 18, 2017, CHS2 confirmed with FAULKENBERRY that the deal was

to move forward for two ounces of cocaine.

59. On January 19, 2017, CHS2 drove to **15 W. Polk Street, Polkton, North Carolina** and met with FAULKENBERRY.

60. CHS2 wore a recording device during the narcotics transaction with FAULKENBERRY.

61. FAULKENBERRY confirmed to CHS2 that he had the cocaine and that he did not "situate it," he only checked the weight to make sure it was right.

62. CHS2 paid FAULKENBERRY \$2,700, in cash, for the cocaine.

63. The cocaine delivered to CHS2 by FAULKENBERRY on January 19, 2017 was sent to the Drug Enforcement Administration Laboratory.

64. The analysis performed determined that the net weight of the substance was approximately 55.67 grams of cocaine hydrochloride with approximately 55% purity.

65. On May 4, 2017, CHS2 called FAULKENBERRY and arranged to purchase a half ounce of cocaine. CHS2 drove to **15 West Polk Street, Polkton, North Carolina** to conduct the transaction.

66. FAULKENBERRY sold the cocaine to CHS2 for \$640.

67. Court authorized interception of the wire communications of telephone numbers associated with FAULKENBERRY commenced on June 12, 2017

68. On June 29, 2017, CHS2 spoke to FAULKENBERRY.

69. The calls were intercepted and recorded. CHS2 arranged to purchase an ounce of cocaine from FAULKENBERRY.

70. On June 30, 2017, CHS2 drove to **15 W. Polk Street, Polkton, North**

Carolina, and purchased an ounce of cocaine from FAULKENBERRY at that residence.

71. On August 5, 2017, FAULKENBERRY received an incoming call from CHAVIS and the call was intercepted and recorded.

72. CHAVIS explains that he has a customer headed to the beach at eight o'clock.

73. FAULKENBERRY asks, "What are you talking about, money wise?" CHAVIS responds, "A game of pool."

74. CHAVIS then advises he would like more than that but that is what the customer wanted. CHAVIS stated that he would call his customer and that it would be approximately twenty-five minutes to get to FAULKENBERRY'S residence.

75. Your affiant believes CHAVIS is asking for an 8-ball of cocaine to supply his customer and purchased the cocaine from FAULKENBERRY at **15 W. Polk Street, Polkton, North Carolina**.

76. On August 5, 2017, FAULKENBERRY made an outgoing call to CHAVIS.

77. CHAVIS confirms he is at FAULKENBERRY'S residence, **15 W. Polk Street, Polkton, North Carolina** and asks him to open the door.

78. Cell tower location data tied to the August 5, 2017 call between FAULKENBERRY and CHAVIS reveal that FAULKENBERRY'S cellular telephone was using a cellular telephone tower that services the downtown Polkton, NC area.

79. The address **15 W. Polk Street, Polkton, North Carolina** is centered in downtown Polkton.

80. Throughout the course of the wire interception of FAULKENBERRY'S telephones, the transaction completed with CHAVIS on August 5, 2017 is typical and demonstrative as to how FAULKENBERRY has conducted numerous narcotics transactions

during the investigation.

81. FAULKENBERRY uses **15 W. Polk Street, Polkton, North Carolina** as his primary location to sell and receive narcotics.

82. MARTIN's place of business is **WMJ Enterprises, 17/21 W. Polk Street, Polkton, North Carolina.**

83. The business is listed as **17 W. Polk Street**, however,

84. Anson County tax records and public records identify the address as **21 W. Polk Street, Polkton, North Carolina.**

85. In and around April of 2017, Agents developed another confidential human source (CHS3) in the MARTIN investigation.

86. CHS3 provided information to the case agents that was previously known and the information was truthful and accurate.

87. On April 19, 2017, CHS3 attempted a meeting with MARTIN at his office of **17/21 W. Polk Street, Polkton, North Carolina.**

88. The attempted meeting with MARTIN was consensually recorded by CHS3.

89. CHS3 was not able to directly meet with MARTIN but witnessed MARTIN meeting with a black male and a white male in his office at the business.

90. CHS3 stated MARTIN was discussing narcotics with the duo and provided Adderall to the white male known to CHS3 as "Tommy."

91. Court authorized interception of wire communications of the cellular telephone number associated with MARTIN commenced on July 18, 2017.

92. Wire intercepts of MARTIN's phone have shown that he uses the business at

17/21 W. Polk Street, Polkton, North Carolina to store narcotics and uses proceeds from the sale thereof to purchase additional narcotics for distribution.

93. On August 3, 2017, in a text exchange between MARTIN and known narcotics dealer TIMOTHY BOWENS, BOWENS indicated he had new product.

94. Following that exchange, MARTIN called WMJ Enterprises, **17/21 W. Polk Street, Polkton, North Carolina** and spoke to Pam Medlin, the office secretary.

95. MARTIN asked how much money he had come in and the secretary told him the total was in excess of \$3,400 in cash.

96. On August 4, 2017, MARTIN sent a text message to BOWENS on which he stated he had "5" and the rest was in inventory.

97. BOWENS stated he would get "that" from MARTIN.

98. Your affiant believes that there is probable cause to believe that MARTIN obtained the cash from WMJ Enterprises, **17/21 W. Polk Street, Polkton, North Carolina**, and that the cash he retrieved from the business was part of the "5" (\$5,000), that MARTIN had for BOWENS to pay his drug debt.

99. Your affiant notes that within his organization, MARTIN employs RUSTY MOORE, MICHAEL FAULKENBERRY and STEVIE LANG to assist with the operation of WMJ Enterprises, **17/21 W. Polk Street, Polkton, North Carolina**.

100. MOORE, FAULKENBERRY and LANG work for MARTIN distributing narcotics and have been intercepted doing so.

101. On August 27, 2017, in a recorded call between MARTIN and SHORT, MARTIN stated he was going to the "office" to get his cash that came in and he stated, "he

had a few things to do."

102. Just prior to the call with SHORT, MARTIN had a conversation with known cocaine supplier, CARL TILLMAN, and ordered narcotics from TILLMAN stating he would pay him by lunch.

103. There were a series of contacts on the wire intercept between MARTIN and RUSTY MOORE where MARTIN sent MOORE to pick up narcotics from TILLMAN.

104. Based on these calls, your affiant believes MARTIN obtained cash from WMJ Enterprises, **17/21 W. Polk Street, Polkton, North Carolina** and used that money to purchase narcotics.

105. On August 31, 2017, in a recorded call with Pam Medlin at WMJ Enterprises, **17/21 W. Polk Street, Polkton, North Carolina**, MARTIN told Medlin that he had received money from CARL TILLMAN for "his girlfriend's" rent.

106. Your affiant knows from the wire intercepts that TILLMAN's girlfriend possibly rents property from WMJ Enterprises, **17/21 W. Polk Street, Polkton, North Carolina**.

107. This call indicates that MARTIN was comingling his narcotics dealings with TILLMAN and the business of WMJ Enterprises.

108. On September 14, 2017, in a recorded call between MARTIN and FAULKENBERRY, they discussed a thousand dollars in cash being at the "office" where "Pam" works.

109. Pam is known by case agents to be Pam Medlin, the office secretary at WMJ Enterprises, **17/21 W. Polk Street, Polkton, North Carolina**.

110. In the same call, MARTIN asked FAULKENBERRY to meet with known drug supplier TIMOTHY BOWENS.

111. The address of **366 Tarpin Town Road, Polkton**, North Carolina, appears to be where MARTIN stays primarily.

112. This address is on approximately 90 acres and has a residence on it. This address is commonly referred to as, "The Clubhouse" by MARTIN and most of the members of MARTIN'S organization.

113. FBI surveillance has confirmed on multiple occasions that when MARTIN has stated on the wire "he is at the Clubhouse", surveillance has placed him at **366 Tarpin Town Road, Polkton, North Carolina**.

114. On July 10, 2017, MARTIN, during a telephone call which was intercepted via a court ordered wire, spoke to FAULKENBERRY.

115. MARTIN directed FAULKENBERRY to go to the "Clubhouse", **366 Tarpin Town Road, Polkton, North Carolina**, to find a cloth bag near the pool table.

116. MARTIN told FAULKENBERRY to take the bag to "Ingram" and he will give you \$1,125.

117. Your affiant witnessed FAULKENBERRY, driving MARTIN'S BMW to deliver the narcotics to "Ingram."

118. Calls over FAULKENBERRY'S wire intercept indicate he was concealing the narcotics under the floor mat of "Ingram's" truck.

119. Your affiant believes MARTIN stores narcotics at the "Clubhouse", **366 Tarpin Town Road, Polkton, North Carolina**.

120. On August 31, 2017, MARTIN spoke to MOORE over the wire intercept. MARTIN asked MOORE to go to the, "Clubhouse", **366 Tarpin Town Road, Polkton, North Carolina**, to look in a few locations for "two of those transparent things in there. You

know what I'm saying? That you like. Bring one of them to me in Rockingham."

121. Your affiant believes MARTIN was referencing methamphetamine/ice when he said "transparent things." In subsequent calls, referenced numerous places where he concealed items such as: "on top of the piano", "under the politician's hat", "kitchen, bathrooms, the drawer there, and maybe, ah. I don't know. If you don't find it, I'll come get it."

122. MOORE eventually found the narcotics and delivered it to MARTIN.

123. Your affiant believes MARTIN has stored and continues to store narcotics at the "Clubhouse", **366 Tarpin Town Road, Polkton, North Carolina.**

124. On September 12, 2017, MARTIN sent a text message to TIMOTHY BOWENS.

125. The message was for BOWENS to bring "one of those cakes" to him.

126. BOWENS stated he was in the tub and would call in a second.

127. MARTIN told BOWENS he was at the "Clubhouse."

128. BOWENS asked MARTIN if he had funds for him and stated he was on the way.

129. BOWENS subsequently told MARTIN he had arrived.

130. BOWENS resides at 6102 Raisin Tree Lane, Charlotte, North Carolina.

131. Your affiant believes that BOWENS left his home, after completing his bath, and delivered a quantity of narcotics to MARTIN at the "Clubhouse", **366 Tarpin Town Road, Polkton, North Carolina.**

132. The property at **367 Tarpin Town Road, Polkton, North Carolina**, is on approximately 60 acres and is MARTIN's main house.

133. MARTIN's girlfriend, SARAH BELL ROMAN, primarily resides in this residence with MARTIN which is commonly referred to as, "The House" by MARTIN and most of the members of his organization.

134. Next to "The House", 367 Tarpin Town Road, Polkton, North Carolina, is an out buildings that is commonly referred to as "The Barn."

135. In April of 2017, CHS3 provided information to agents that he/she had purchased "Ice", methamphetamine, from MARTIN at his home located at **367 Tarpin Town Road, Polkton, North Carolina**, multiple times.

136. CHS3 described the home to agents as well as the extensive surveillance systems MARTIN had installed at the home and on the property.

137. CHS3 told agents that MARTIN stores narcotics in the living room below the television.

138. CHS3 also stated MARTIN commonly referred to "Ice" as "gas" commonly.

139. Your affiant notes that throughout the wire interception, MOORE and others have routinely asked for "gas."

140. On July 4, 2017, FAULKENBERRY placed an intercepted and recorded call to an individual believed to be Mark Traywick.

141. In the call FAULKENBERRY told Traywick he "had what he was asking for," and stated "it's the real shit."

142. FAULKENBERRY stated he was going to his home, located at 15 W. Polk Street, to weigh the substance.

143. FAULKENBERRY stated he was not sure if the substance weighed 3.5 grams or 7 grams.

144. Your affiant believes FAULKENBERRY had between 3.5 grams and 7 grams of cocaine.

145. Cellular tower information at the time of the call indicated FAULKENBERRY was

in the area of MARTIN's properties on Tarpin Town Road, Polkton, North Carolina.

146. FAULKENBERRY spoke to an individual named "Joe" just minutes after Traywick and indicated Cliff was no longer there and the building was locked.

147. Approximately an hour later, MARTIN called FAULKENBERRY and complained that he was unable to get into the barn because the door was locked and apparently FAULKENBERRY had the keys.

148. FAULKENBERRY stated he was en route to the barn.

149. Your affiant believes from this series of events that FAULKENBERRY and MARTIN divided up cocaine in the outbuilding of **367 Tarpin Town Road, Polkton, North Carolina**, commonly referred to as "the barn".

150. On August 2, 2017, in a series of intercepted calls between MARTIN and SHORT, MARTIN was upset because he believed he was under investigation by law enforcement and was concerned.

151. During the call, MARTIN accused SHORT of "dealing dope" directly out of her home, located at 37 Burch Street, Mount Croghan, South Carolina.

152. SHORT thought she and MARTIN were getting narcotics from "DAVIS"; however, MARTIN corrected her by stating the narcotics were actually his.

153. On August 18, 2017, in an intercepted call between MARTIN and FAULKENBERRY, FAULKENBERRY told MARTIN he was coming to his "house" and was bringing MARTIN "Ingram's" money.

154. Your affiant notes that intercepted calls reveal MARTIN sold narcotics to "Ingram" on July 10th.

155. MARTIN told FAULKENBERRY to place the money on his desk.

156. Your affiant believes, based upon wire interceptions, that MARTIN was storing drug proceeds in the desk located within the residence at **367 Tarpin Town Road, Polkton, North Carolina.**

157. On August 25, 2017, in an intercepted call between MARTIN and ROMAN, MARTIN asked ROMAN to go in his desk "and count \$2,000".

158. According to wire interceptions, ROMAN could not locate the money referenced by MARTIN.

159. Your affiant believes from the wire that MARTIN was concealing drug proceeds in his desk located at **367 Tarpin Town Road, Polkton, North Carolina.**

160. On September 2, 2017, MARTIN communicated with BOB SCOTT CHAVIS about receiving money and possibly supplying narcotics to CHAVIS.

161. MARTIN told CHAVIS to specifically come to "the house, my house."

162. Your affiant knows from the wire that MARTIN was referring to the main house, **367 Tarpin Town Road, Polkton, North Carolina**, not the "Clubhouse."

163. Also on the 60 acre property of **367 Tarpin Town Road, Polkton, North Carolina**, is address **415 Tarpin Town Road, Polkton, North Carolina**, a small home which is located on the front corner of the property.

164. JAMES RUSSELL "RUSTY" MOORE, one of MARTIN's drug Lieutenants, resides at this residence and serves as a lookout for MARTIN among his other organization duties.

165. In April of 2017, CHS3 provided information to agents that MOORE resides in the small home adjacent to **367 Tarpin Town Road, Polkton, North Carolina** at the front of MARTIN's property.

166. That address is **415 Tarpin Town Road, Polkton, North Carolina.**

167. On July 20, 2017, in an intercepted and recorded call between FAULKENBERRY and MARTIN's son, MARTIN's son states that "Bobby" stole a propane tank from "his dad's" to cook/make "meth over here with."

168. FAULKENBERRY stated "RUSTY" ("RUSTY" is known to be JAMES RUSSELL MOORE) was "cooking" with "Bobby."

169. Your Affiant believes MARTIN's son was complaining about "Bobby" stealing propane from MARTIN's home, **367 Tarpin Town Road, Polkton, North Carolina**, and possibly cooking methamphetamine.

170. On August 1, 2017, in an intercepted and recorded call between MARTIN and MOORE, MARTIN told MOORE to drive over and deliver, "\$20 and five of those things" that he had concealed in a cigarette pack.

171. In a subsequent call eleven minutes later, MOORE indicated he would just walk across the street and make the delivery.

172. Based on these calls, your affiant believes MOORE had narcotics at his home, **415 Tarpin Town Road, Polkton, North Carolina**, and he was going to walk across the street to, **366 Tarpin Town Road, Polkton, North Carolina** to deliver the narcotics to MARTIN.

173. On September 15, 2017, in an intercepted and recorded call between MARTIN and MOORE, MOORE told MARTIN he was on the way back to "his house (MARTIN's), I mean my house."

174. Your affiant believes this is a confirmation that MOORE was residing at **415 Tarpin Town Road, Polkton, North Carolina**, in the house owned by MARTIN and on MARTIN's property.

175. In the call, MARTIN asked if MOORE had picked up the "7."

176. MARTIN told MOORE he could keep half and bring him the rest.

177. Your affiant believes that MOORE obtained a quantity of narcotics and took it to his home, at **415 Tarpin Town Road, Polkton, North Carolina.**

178. Your affiant believes MOORE kept half the narcotics at **415 Tarpin Town Road, Polkton, North Carolina.**

179. Your affiant states that MOORE has picked up narcotics from CARL TILLMAN and TIMOTHY BOWENS on MARTIN's behalf several times.

180. MOORE commonly brings the narcotics back to MARTIN's properties on Tarpin Town Road, Polkton, North Carolina.

181. On September 12, 2017, MARTIN sent a text message to TIMOTHY BOWENS.

182. The message was for BOWENS to bring "one of those cakes" to him.

183. BOWENS stated he was in the tub and would call in a second. MARTIN told BOWENS he was at the "Clubhouse."

184. BOWENS asked MARTIN if he had funds for him and stated he was on the way.

185. BOWENS subsequently told MARTIN he had arrived.

186. BOWENS resides at 6102 Raisin Tree Lane, Charlotte, North Carolina.

187. Your affiant believes that BOWENS left his home, after completing his bath, and delivered a quantity of narcotics to MARTIN at the "Clubhouse", **366 Tarpin Town Road, Polkton, North Carolina.**

188. On September 14, 2017, BOWENS again indicated to MARTIN that he was in

the tub, presumably at 6102 Raisin Tree Lane, Charlotte, North Carolina, soaking because he had "gout."

189. MARTIN coordinated a narcotics purchase and the wire intercept indicates FAULKENBERRY met BOWENS for the delivery of narcotics on MARTIN's behalf.

190. The authorized wire intercepts of both FAULKENBERRY and MARTIN have shown that BOWENS has delivered narcotics to the MARTIN drug trafficking organization on June 20, 2017, August 5, 2017, August 12, 2017, September 7, 2017, September 9, 2017, September 12, 2017, September 14, 2017, September 16, 2017, and September 20, 2017.

191. This Affidavit is made in support of Applications for Orders of *Lis Pendens* for the following locations:

- a) The residential property at 367 Tarpin Town Road, Polkton, NC, the residence of WALTER CLIFTON MARTIN JR;
- b) The residential property at 366 Tarpin Town Road, Polkton, NC, the residence of WALTER CLIFTON MARTIN JR;
- c) The residential property at 415 Tarpin Town Road, Polkton, NC, the residence of JAMES RUSSEL MOORE;
- d) The residential/commercial property at 15 W. Polk Street, Polkton, NC, the residence of MICHAEL FAULKENBERRY; and
- e) The commercial property at 17/21 W. Polk Street, Polkton, NC, the business of WALTER CLIFTON MARTIN JR., WMJ ENTERPRISES.

192. Your affiant asserts that probable cause exists to believe that the subjects have utilized the Subject Property to facilitate offenses enumerated in Section 2516 of Title 18,


United States Code, in violation of:

- a) Title 21, United States Code, Section 841(a)(1); distribution of controlled substances and possession with the intent to distribute Schedule I and Schedule II controlled substances; and
- b) Title 21, United States Code, Section 843(b); the use of a communication facility, that is, a telephone, to commit, facilitate or further the commission of a Title 21, United States Code, felony offense;
- c) Title 21, United States Code, Section 846; conspiracy and attempt to distribute and possess with the intent to distribute Schedule I and Schedule II controlled substances;
- d) Title 21, United States Code, Section 952; importation of Schedule I and Schedule II controlled substances;
- e) Title 21, United States Code, Section 963; conspiracy to import Schedule I and Schedule II controlled substances, that is, cocaine and marijuana;
- f) Title 18, United States Code, Section 1951; interference with commerce by extortion under color of official right;
- g) Title 18, United States Code, Sections 1956 and 1957, money laundering and conspiracy to do the same; and
- h) Title 18, United States Code, Section 2, aiding and abetting the aforementioned crimes.
- i) Based on these facts, your affiant believes that probable cause exists to conclude that each of the properties are subject to forfeiture as provided by 21 U.S.C. §

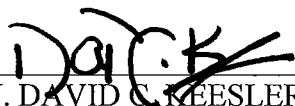
881(a)(6) and (7).

I, Special Agent Eric Pelletier, being duly sworn according to law, hereby state that the facts stated in this affidavit are true and correct to the best of my knowledge, information and belief.

SUBSCRIBED to and SWORN to before me on this, the 18 Day of September 2017, at Charlotte, North Carolina.


Special Agent Eric Pelletier
Federal Bureau of Investigation

SUBSCRIBED and sworn to before me on this, the 18th Day of September, 2017 at Charlotte, North Carolina.


HON. DAVID C. REESLER
UNITED STATES MAGISTRATE JUDGE
WESTERN DISTRICT OF NORTH CAROLINA