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**MAR 22 2012**

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**ATTORNEY FOR PLAINTIFF  
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF MONTANA**

**HELENA DIVISION**

<p><b>UNITED STATES OF AMERICA,</b></p> <p><b>Plaintiff,</b></p> <p><b>vs.</b></p> <p><b>CHRISTOPHER WAYNE WILLIAMS, CHRISTOPHER J. LINDSEY, and DANIEL JAMES NICHOLS,</b></p> <p><b>Defendants.</b></p>	<p><b>CR 12-08-H-DLC</b></p> <p><b><u>SUPERSEDING INDICTMENT</u></b></p> <p><b>CONSPIRACY TO MANUFACTURE, DISTRIBUTE, AND POSSESS WITH INTENT TO DISTRIBUTE MARIJUANA (Count I)</b> Title 21 U.S.C. § 846 (Penalty: Mandatory minimum five years to 40 years imprisonment, \$2,000,000 fine, and at least four years supervised release)</p>
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**MANUFACTURE OF  
MARIJUANA  
(Count II)  
Title 21 U.S.C. § 841(a)(1)  
(Penalty: Mandatory minimum  
five years to 40 years  
imprisonment, \$5,000,000 fine,  
and at least four years  
supervised release)**

**POSSESSION WITH INTENT  
TO DISTRIBUTE MARIJUANA  
(Counts III, IV)  
Title 21 U.S.C. § 841(a)(1)  
(Penalty: Five years  
imprisonment, \$250,000 fine,  
and at least two years  
supervised release)**

**POSSESSION OF A FIREARM  
DURING A DRUG  
TRAFFICKING OFFENSE  
(Counts V-VIII)  
Title 18 U.S.C. § 924(c)  
(Penalty: Mandatory minimum  
five years to life imprisonment  
and five years supervised  
release for first conviction,  
consecutive to any other  
sentence; mandatory minimum  
25 years to life imprisonment  
and five years supervised  
release for second or  
subsequent conviction,  
consecutive to any other  
sentence)**

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**FELON IN POSSESSION OF A  
FIREARM/AMMUNITION  
(Count IX)**

**Title 18 U.S.C. § 922(g)(1)  
(Penalty: Ten years  
imprisonment, \$250,000 fine,  
and three years supervised  
release)**

**CRIMINAL FORFEITURE**

**Title 18 U.S.C. § 924(d)  
Title 21 U.S.C. § 853**

**TITLE 21 PENALTIES MAY BE  
ENHANCED BY PRIOR DRUG-  
RELATED FELONY  
CONVICTIONS**

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**THE GRAND JURY CHARGES:**

**COUNT I**

That on or about January 1, 2006, and continuing thereafter until on or about June 29, 2011, at Helena, Havre, Billings, Kalispell, Lewistown, Miles City, Missoula, and Three Forks, in the State and District of Montana, and elsewhere, the defendants, CHRISTOPHER WAYNE WILLIAMS, CHRISTOPHER J. LINDSEY, and DANIEL JAMES NICHOLS, together and with Richard Flor, Sherry Flor, Justin Flor, T.F.D., and others both known and unknown to the Grand Jury, knowingly and unlawfully conspired and agreed to manufacture,

distribute, and possess, with the intent to distribute, marijuana, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1).

### OBJECTS OF THE CONSPIRACY

The objects of the conspiracy were to: (1) manufacture 100 or more marijuana plants; (2) possess with the intent to distribute 100 or more kilograms of a substance containing a detectable amount of marijuana; (3) distribute 100 or more kilograms of a substance containing a detectable amount of marijuana; and (4) use proceeds from said criminal activities for their own financial benefit and to perpetuate the conspiracy.

### MEANS AND METHODS

To accomplish the objects of the conspiracy, the conspirators employed the following means and methods:

1. During the time period of the conspiracy, CHRISTOPHER WAYNE WILLIAMS, CHRISTOPHER J. LINDSEY, and DANIEL JAMES NICHOLS, and their coconspirators grew marijuana plants at locations in Helena, Miles City, and Three Forks, Montana. The facility in Miles City, Montana, was a home occupied by coconspirators Richard Flor, Sherry Flor, and Justin Flor.

2. During the time period of the conspiracy, marijuana manufactured at the locations described above and obtained from other sources was possessed for distribution and distributed by CHRISTOPHER WAYNE WILLIAMS, CHRISTOPHER J. LINDSEY, and DANIEL JAMES NICHOLS, and their coconspirators at distribution points in Billings, Helena, Miles City, and Missoula, Montana. Those locations included: 2325 Ninth Avenue North, Billings, Montana; 3790 Highway 12 West, Helena, Montana; 3213 Highway 12 West, Helena, Montana; 412 South Stacy Avenue, Miles City, Montana; and 1935 Brooks Street, Missoula, Montana.

3. During the time period of the conspiracy, CHRISTOPHER WAYNE WILLIAMS, CHRISTOPHER J. LINDSEY, and DANIEL JAMES NICHOLS, and their coconspirators possessed firearms in order to facilitate the drug trafficking crimes that were the objects of the conspiracy, namely to protect caches of marijuana plants, marijuana, and proceeds obtained from the distribution of marijuana, and to intimidate those who challenged the manner in which conspiracy was conducted. Such firearms included both pistols and rifles, including semi-automatic, assault-style rifles.

4. Some proceeds obtained from the manufacture and distribution of marijuana pursuant to the conspiracy were deposited in bank accounts and distributed among CHRISTOPHER WAYNE WILLIAMS, CHRISTOPHER J. LINDSEY, and DANIEL JAMES NICHOLS, and their coconspirators. Other proceeds from the manufacture and distribution of marijuana were deposited in bank accounts and ultimately employed to further the objects of the conspiracy by providing the financial means to continue the manufacture and production of marijuana.

All in violation of 21 U.S.C. § 846.

## COUNT II

That on or about January 1, 2006, and continuing thereafter until on or about March 15, 2011, at Helena, Miles City, and Three Forks, in the State and District of Montana, the defendants, CHRISTOPHER WAYNE WILLIAMS, CHRISTOPHER J. LINDSEY, and DANIEL JAMES NICHOLS, and Richard Flor, Sherry Flor, Justin Flor, and T.F.D knowingly manufactured 100 or more marijuana plants, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1).

COUNT III

That on or about March 14, 2011, at Miles City, in the State and District of Montana, the defendants, CHRISTOPHER WAYNE WILLIAMS, CHRISTOPHER J. LINDSEY, and DANIEL JAMES NICHOLS, and Richard Flor, Sherry Flor, Justin Flor, and T.F.D. knowingly possessed, with the intent to distribute, a substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1).

COUNT IV

That on or about March 14, 2011, at Billings, in the State and District of Montana, the defendants, CHRISTOPHER WAYNE WILLIAMS, CHRISTOPHER J. LINDSEY, and DANIEL JAMES NICHOLS, and Richard Flor, Sherry Flor, Justin Flor, and T.F.D. knowingly possessed, with the intent to distribute, a substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1).

COUNT V

That on or about March 14, 2011, at Helena, Miles City, and Billings, in the State and District of Montana, the defendants,

CHRISTOPHER WAYNE WILLIAMS, CHRISTOPHER J. LINDSEY, and DANIEL JAMES NICHOLS, and Richard Flor, Sherry Flor, Justin Flor, and T.F.D. knowingly possessed a firearm, namely:

- a Taurus, model PT1911, .45 caliber semi-automatic pistol (serial number NCW26609);
- a Smith & Wesson, Model 629, .44 magnum revolver (serial number CJV5014);
- a Mossberg, Model 500A, 12 gauge shotgun (serial number L804345);
- a Browning, Model Nomad, .22 caliber semi-automatic pistol (serial number 64909P6);
- a SAKO, Model M995, .270 caliber rifle (serial number 202885);
- a Ruger, Model M77 Mark II, .223 caliber rifle (serial number 783-80583);
- a Browning, .22 caliber rifle, no serial number;
- a Smith & Wesson, Model 2213, .22 caliber pistol (serial number UAV0414);
- a Beretta, Model 21A, .22 caliber pistol (serial number DAA156375);



- a Ruger, Model P89, 9mm semi-automatic pistol (serial number 312-18157);
- a Smith & Wesson, Model 36, .38 caliber revolver (serial number 347124);
- a Ruger, Model Single-Six, .22 caliber revolver (serial number 265-30106);
- a Smith & Wesson, Model 22A, .22 caliber semi-automatic pistol, (serial number UAV5944);
- an Iver Johnson, .32 caliber revolver, no serial number;
- a Remington, Model 722, .257 caliber rifle (serial number 291997);
- a Savage, Model 93R17, .17 caliber rifle (serial number 0733058);
- a New England, Model Pardner, .410 gauge shotgun (serial number NU232917);
- a Mossberg, Model 138D, .410 gauge shotgun, no serial number;
- a High Standard, Model Sport King, .22 caliber rifle (serial number 3003922);
- a Winchester, Model 94, .30-30 caliber rifle (serial number 364368);

- a Weatherby, Model PA-459, 12 gauge shotgun (serial number AK00403);
- a Winchester, Model 1300, 12 gauge shotgun (serial number LX032841);
- a New England, Model Pardner, 20 gauge shotgun (serial number NN328972);
- a Taurus, Model 72, .22 caliber rifle (serial number YG8990);
- a Bulgaria Arsenal Co., Model SLR107F, 7.62 caliber semi-automatic rifle (serial number AE470534);
- a Chinese-made, Model SKS, 7.62mm semi-automatic rifle (serial number K9139);
- an Auto Ordnance, Model Thompson 1927 A-1, .45 caliber semi-automatic rifle (serial number KM1520); and
- a Springfield Armory, Model XD40, .40 caliber semi-automatic pistol (serial number US494255),

during and in furtherance of the drug trafficking crime charged in Count I above, a crime that may be prosecuted in a court of the United States, in violation of 18 U.S.C. § 924(c).

## COUNT VI

That on or about March 14, 2011, at Helena, in the State and District of Montana, the defendants, CHRISTOPHER WAYNE WILLIAMS, CHRISTOPHER J. LINDSEY, and DANIEL JAMES NICHOLS, and Richard Flor, Sherry Flor, Justin Flor, and T.F.D. knowingly possessed a firearm, namely:

- a Taurus, model PT1911, .45 caliber semi-automatic pistol (serial number NCW26609);
- a Smith & Wesson, Model 629, .44 magnum revolver (serial number CJV5014);
- a Mossberg, Model 500A, 12 gauge shotgun (serial number L804345);
- a Browning, Model Nomad, .22 caliber semi-automatic pistol (serial number 64909P6);
- a SAKO, Model M995, .270 caliber rifle (serial number 202885);
- a Ruger, Model M77 Mark II, .223 caliber rifle (serial number 783-80583);
- a Browning, .22 caliber rifle, no serial number;

- a Smith & Wesson, Model 2213, .22 caliber pistol (serial number UAV0414);
- a Beretta, Model 21A, .22 caliber pistol (serial number DAA156375);
- a Ruger, Model P89, 9mm semi-automatic pistol (serial number 312-18157);
- a Smith & Wesson, Model 36, .38 caliber revolver (serial number 347124); and
- a Ruger, Model Single-Six, .22 caliber revolver (serial number 265-30106),

during and in furtherance of the drug trafficking crime charged in Count II above, a crime that may be prosecuted in a court of the United States, in violation of 18 U.S.C. § 924(c).

#### COUNT VII

That on or about March 14, 2011, at Miles City, in the State and District of Montana, the defendants, CHRISTOPHER WAYNE WILLIAMS, CHRISTOPHER J. LINDSEY, and DANIEL JAMES NICHOLS, and Richard Flor, Sherry Flor, Justin Flor, and T.F.D. knowingly possessed a firearm, namely:

- a Smith & Wesson, Model 2213, .22 caliber pistol (serial number UAV0414);
- a Beretta, Model 21A, .22 caliber pistol (serial number DAA156375);
- a Ruger, Model P89, 9mm semi-automatic pistol (serial number 312-18157);
- a Smith & Wesson, Model 36, .38 caliber revolver (serial number 347124);
- a Ruger, Model Single-Six, .22 caliber revolver (serial number 265-30106);
- a Smith & Wesson, Model 22A, .22 caliber semi-automatic pistol, (serial number UAV5944);
- an Iver Johnson, .32 caliber revolver, no serial number;
- a Remington, Model 722, .257 caliber rifle (serial number 291997);
- a Savage, Model 93R17, .17 caliber rifle (serial number 0733058);
- a New England, Model Pardner, .410 gauge shotgun (serial number NU232917);
- a Mossberg, Model 138D, .410 gauge shotgun, no serial number;

- a High Standard, Model Sport King, .22 caliber rifle (serial number 3003922);
- a Winchester, Model 94, .30-30 caliber rifle (serial number 364368);
- a Weatherby, Model PA-459, 12 gauge shotgun (serial number AK00403);
- a Winchester, Model 1300, 12 gauge shotgun (serial number LX032841);
- a New England, Model Pardner, 20 gauge shotgun (serial number NN328972);
- a Taurus, Model 72, .22 caliber rifle (serial number YG8990);
- a Bulgaria Arsenal Co., Model SLR107F, 7.62 caliber semi-automatic rifle (serial number AE470534);
- a Chinese-made, Model SKS, 7.62 mm semi-automatic rifle (serial number K9139); and
- an Auto Ordnance, Model Thompson 1927 A-1, .45 caliber semi-automatic rifle (serial number KM1520),

during and in furtherance of the drug trafficking crime charged in Count III above, a crime that may be prosecuted in a court of the United States, in violation of 18 U.S.C. § 924(c).

#### COUNT VIII

That on or about March 14, 2011, at Billings, in the State and District of Montana, the defendants, CHRISTOPHER WAYNE WILLIAMS, CHRISTOPHER J. LINDSEY, and DANIEL JAMES NICHOLS, Richard Flor, Sherry Flor, Justin Flor, and T.F.D. knowingly possessed a firearm, namely a Springfield Armory, Model XD40, .40-caliber semi-automatic pistol (serial number US494255), during and in furtherance of the drug trafficking crime charged in Count IV above, a crime that may be prosecuted in a court of the United States, in violation of 18 U.S.C. § 924(c).

#### COUNT IX

That on or about March 14, 2011, near Helena, in the State and District of Montana, the defendant, DANIEL JAMES NICHOLS, who was previously convicted on May 13, 1985, of a crime punishable by a term of imprisonment exceeding one year under the laws of the State of Montana, knowingly possessed, in and affecting interstate and foreign

commence, firearms and ammunition, namely a Browning .22 caliber pistol (serial number 64909P6), a SAKO .270 caliber rifle (serial number 202885), a Ruger .223 caliber rifle (serial number 783-80583), a Browning .22 caliber rifle (no serial number), 32 rounds of .44 magnum ammunition, and four rounds of .223 caliber ammunition, in violation of 18 U.S.C. 922(g)(1).

### *PINKERTON* THEORY OF LIABILITY

Counts II through VIII are subject to a *Pinkerton* theory of liability.

### FORFEITURE ALLEGATION

Upon conviction of the offenses charged in this indictment, the defendants, CHRISTOPHER WAYNE WILLIAMS, CHRISTOPHER J. LINDSEY, and DANIEL JAMES NICHOLS, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 21 U.S.C. § 853, any and all real or personal property constituting proceeds and derived from any proceeds the defendants obtained directly and indirectly as a result of said violations, and any and all property used and intended to be used in any manner to commit and to facilitate the commission of the drug



trafficking violations and firearms violations alleged in the indictment, including but not limited to the following:

### I. CASH PROCEEDS

At least \$1,728,000 that was received in exchange for the manufacture and distribution of controlled substances and is traceable thereto.

### II. BANK ACCOUNTS

All U.S. currency funds and other monetary instruments credited to account number xxxxxx4966 in the name of Montana Caregiver's Association, P.O. Box 7327, Helena, Montana, located at Wells Fargo Bank.

All U.S. currency funds and other monetary instruments credited to account number xxx3852 in the name of Montana Caregiver's Association, P.O. Box 7327, Helena, Montana, located at Valley Bank, including \$29,871.72 seized on March 14, 2011.

All U.S. currency funds and other monetary instruments credited to account number xxx3712 in the name of Montana Caregiver's Association, P.O. Box 7327, Helena, Montana, located at Valley Bank, including \$552.79 seized on March 14, 2011.

### III. SUBSTITUTE ASSETS AND MONEY JUDGMENT

If any of the above-described forfeitable property, as a result of any act or omission of the defendants –

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property described above. If sufficient property is not forfeited in satisfaction of the total value of property ordered forfeited by the Court, the United States will seek a money judgment against the

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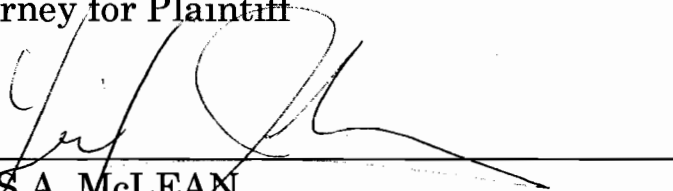
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defendants to obtain the total value of property ordered forfeited by the Court.

A TRUE BILL.

  
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FOREPERSON

  
\_\_\_\_\_  
MICHAEL W. COTTER  
United States Attorney  
Attorney for Plaintiff

*for*  
  
\_\_\_\_\_  
KRIS A. McLEAN  
Criminal Chief Assistant U.S. Attorney  
Attorney for Plaintiff

Crim. Summons \_\_\_\_\_

Warrant: ✓ All

Bail: None