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ATTORNEYS FOR PLAINTIFF
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

BILLINGS DIVISION

<p>UNITED STATES OF AMERICA,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>ROBERT FERRELL ARMSTRONG, <i>aka</i> <i>Dr. Bob</i>, ROBERT JOHN FERRELL, KARA DAWN EVANS, <i>aka Kara Dawn</i> <i>Hoots</i>, LLOYD LEON WESTERVELT, JENNIE LYNN BRITT,</p>	<p>CR 13- -BLG-</p> <p><u>INDICTMENT</u></p> <p>CONSPIRACY TO DISTRIBUTE METHAMPHETAMINE AND TO POSSESS METHAMPHETAMINE WITH INTENT TO DISTRIBUTE Title 21 U.S.C. § 846 (Count I) (Penalty: Mandatory minimum ten years to life imprisonment, \$10,000,000 fine, and at least</p>
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Defendants.	five years supervised release)
	<p>POSSESSION WITH INTENT TO DISTRIBUTE METHAMPHETAMINE (Count II) Title 21 U.S.C. § 841(a)(1) Title 18 U.S.C. § 2 (Penalty: Mandatory minimum ten years to life imprisonment, \$10,000,000 fine, and at least five years supervised release)</p> <p>DISTRIBUTION OF METHAMPHETAMINE (Counts III-VIII) Title 21 U.S.C. § 841(a)(1) Title 18 U.S.C. § 2 (Penalty for Counts III, IV: 20 years imprisonment, \$1,000,000 fine, and at least three years supervised release. Penalty for Counts V-VIII: Mandatory minimum five years to 40 years imprisonment, \$5,000,000 fine, and at least four years supervised release)</p> <p>POSSESSION OF A FIREARM IN FURTHERANCE OF A DRUG TRAFFICKING CRIME (Counts IX, X) Title 18 U.S.C. §§ 924(c)(1)(A), 2 (Penalty: Mandatory minimum five years to life imprisonment, consecutive to any other sentence, \$250,000 fine, and five years supervised release)</p> <p>CRIMINAL FORFEITURE 21 U.S.C. § 853 and 18 U.S.C. § 924(d)</p> <p>TITLE 21 PENALTIES MAY BE ENHANCED FOR PRIOR DRUG-RELATED FELONY CONVICTIONS</p>

THE GRAND JURY CHARGES:

COUNT I

That beginning on or about April 1, 2012, and continuing thereafter until on or about the date of this indictment, at Sidney, Fairview, Billings, Columbus, Big Timber, Livingston, Bozeman, Whitehall, Missoula, and other locations in the State and District of Montana, and elsewhere, the defendants, ROBERT FERRELL ARMSTRONG, *aka Dr. Bob*, ROBERT JOHN FERRELL, KARA DAWN EVANS, *aka Kara Dawn Hoots*, LLOYD LEON WESTERVELT, and JENNIE LYNN BRITT, together and with others both known and unknown to the Grand Jury, knowingly and unlawfully conspired and agreed to distribute, and possess, with the intent to distribute, in violation of 21 U.S.C. § 841(a)(1), 50 grams or more of actual (pure) methamphetamine, a Schedule II controlled substance, and 500 grams or more of a substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

OBJECTS OF THE CONSPIRACY

The objects of the conspiracy included: (1) the possession, with the intent to distribute, of 50 grams or more of actual (pure) methamphetamine, and 500 grams or more of a substance containing a detectable amount of methamphetamine; and (2) the distribution of 50 grams or more of actual (pure) methamphetamine and 500 grams or more of a substance containing a detectable amount of methamphetamine.

MEANS AND METHODS

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

1. Defendant ARMSTRONG obtained wholesale amounts of methamphetamine from sources of supply in the state of Washington;

2. Defendant ARMSTRONG then directly distributed the methamphetamine to others in Montana and indirectly distributed the methamphetamine to others in Montana by means of methamphetamine couriers and subordinate methamphetamine distributors who operated in various places in Montana, including Sidney, Fairview, Billings, Big Timber, Columbus, Livingston, and Bozeman;

3. Defendants FERRELL, EVANS, WESTERVELT, and BRITT were among the network of Montana-based subordinate methamphetamine distributors employed by defendant ARMSTRONG;

4. Defendants ARMSTRONG, FERRELL, EVANS, WESTERVELT, BRITT, and their coconspirators possessed firearms in order to facilitate the drug trafficking crimes that were the objects of the conspiracy, namely by using such firearms to protect caches of methamphetamine and cash proceeds realized from the distribution of methamphetamine.

All in violation of 21 U.S.C. § 846.

COUNT II

That beginning on or about April 1, 2012, and continuing thereafter until on or about the date of this indictment, at Sidney, Fairview, Billings, Columbus, Big Timber, Livingston, Bozeman, Whitehall, Missoula, and other locations in the State and District of Montana, and elsewhere, the defendants, ROBERT FERRELL ARMSTRONG, *aka Dr. Bob*, ROBERT JOHN FERRELL, KARA DAWN EVANS, *aka Kara Dawn Hoots*, LLOYD LEON WESTERVELT, and JENNIE LYNN BRITT knowingly possessed, with the intent to distribute, 50 grams or

more of actual (pure) methamphetamine, a Schedule II controlled substance, and 500 grams or more of a substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, and aided and abetted the same, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2.

COUNT III

That on or about February 7, 2013, at Sidney, in the State and District of Montana, the defendant, ROBERT FERRELL ARMSTRONG, *aka Dr. Bob*, knowingly distributed a substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

COUNT IV

That on or about February 14, 2013, at Fairview, in the State and District of Montana, the defendant, ROBERT JOHN FERRELL, knowingly distributed a substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

COUNT V

That on or about February 20, 2013, at Sidney, in the State and District of Montana, the defendant, ROBERT FERRELL ARMSTRONG, *aka Dr. Bob*, knowingly distributed a substance containing five grams or more of actual (pure) methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

COUNT VI

That on or about February 28-March 1, 2013, at Bozeman, in the State and District of Montana, defendants ROBERT JOHN FERRELL and KARA DAWN EVANS, *aka Kara Dawn Hoots*, knowingly distributed a substance containing five grams or more of actual (pure) methamphetamine, a Schedule II controlled substance, and aided and abetted the same, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2.

COUNT VII

That on or about March 6, 2013, at Livingston, in the State and District of Montana, the defendant, KARA DAWN EVANS, *aka Kara Dawn Hoots*, knowingly distributed a substance containing five grams or more of actual (pure) methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

COUNT VIII

That on or about March 11, 2013, at Billings, in the State and District of Montana, the defendant, KARA DAWN EVANS, *aka Kara Dawn Hoots*, knowingly distributed a substance containing five grams or more of actual (pure) methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

COUNT IX

That on or about March 14, 2013, at Columbus, in the State and District of Montana, the defendants, KARA DAWN EVANS, *aka Kara Dawn Hoots*, and LLOYD LEON WESTERVELT, knowingly possessed a firearm, namely:

- a Marlin Glenfield model 60, .22 caliber long rifle, serial number 24378426,
- a Ruger model M77, 22-250 caliber rifle, serial number 78606869,
- a High Standard model Sport King, .22 caliber handgun, serial number 503887,
- a Tanfoglio 9 millimeter handgun, serial number H35889, and
- a Mossberg model 500AB, 12 gauge shotgun, serial number G310243,

in furtherance of the drug trafficking crimes charged in Counts I and II above, crimes that may be prosecuted in a court of the United States, and aided and abetted the same, in violation of 18 U.S.C. §§ 924(c)(1)(A) and 2.

COUNT X

That on or about March 15, 2013, at mile post 257 on Interstate 90, near Whitehall, in the State and District of Montana, the defendants, ROBERT FERRELL ARMSTRONG, *aka Dr. Bob*, and JENNIE LYNN BRITT knowingly possessed a firearm, namely a Walther Smith and Wesson P22 handgun, in furtherance of the drug trafficking crimes charged in Counts I and II above, crimes that may be prosecuted in a court of the United States, and aided and abetted the same, in violation of 18 U.S.C. §§ 924(c)(1)(A) and 2.

FORFEITURE ALLEGATION

Upon conviction of the offenses charged in this indictment, the defendants, ROBERT FERRELL ARMSTRONG, *aka Dr. Bob*, ROBERT JOHN FERRELL, KARA DAWN EVANS, *aka Kara Dawn Hoots*, LLOYD LEON WESTERVELT, and JENNIE LYN BRITT pursuant to 18 U.S.C. § 924(d) and 21 U.S.C. § 853, shall forfeit to the United States 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 and constituting proceeds of said drug trafficking and firearm violations. Said property is more specifically described as:

- a Marlin Glenfield model 60, .22 caliber long rifle, serial number 24378426;

- a Ruger model M77, 22-250 caliber rifle, serial number 78606869;
- a High Standard model Sport King, .22 caliber handgun, serial number 503887;
- a Tanfoglio 9 millimeter handgun, serial number H35889;
- a Mossberg model 500AB, 12 gauge shotgun, serial number G310243; and
- a Walther Smith and Wesson P22 handgun.

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A TRUE BILL.

FOREPERSON

MICHAEL W. COTTER
United States Attorney
Attorney for Plaintiff

KRIS A. MCLEAN
Criminal Chief Assistant U.S. Attorney
Attorney for Plaintiff