

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

UNITED STATES OF AMERICA

ELECTRONIC CRIMINAL COMPLAINT

v.

CASE NUMBER: 18-4271 MJ - PCT - DMF

WULLIAM STARR SCHWARTZ and JEANNIE ELIZABETH CHENEY

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

COUNT 1

On or about August 22, 2018, in the District of Arizona, in Mohave County, the defendants, WULLIAM STARR SCHWARTZ and JEANNIE ELIZABETH CHENEY, did knowingly, intentionally, and unlawfully possess a controlled substance, that being methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 2 and 844(a).

COUNT 2

On or about August 22, 2018, in the District of Arizona, in Mohave County, the defendants, WULLIAM STARR SCHWARTZ and JEANNIE ELIZABETH CHENEY, did knowingly, intentionally, and unlawfully possess a controlled substance, that being marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 2 and 844(a).

I further state that I am a Special Agent with the United States Fish and Wildlife Service, and that this Complaint is based on the following facts: See attached Affidavit incorporated herein by reference.

Continued on an attachment sheet and made a part hereof: Yes No

REVIEWED BY: /s/ AUSA Paul V. Stearns [Signature]

Toni Wagner, Special Agent, USFWS Complainant's Name and Title

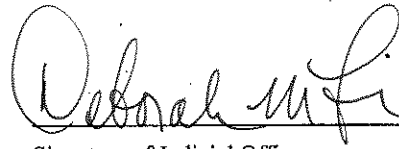
[Signature] 8/22/2018 Date

X Sworn by Telephone 8/22/18 at 4:15 p.m. Date/Time

Flagstaff, Arizona City and State

Deborah M. Fine, U.S. Magistrate Judge

Name & Title of Judicial Officer

A handwritten signature in black ink, appearing to read "Deborah M. Fine", written over a horizontal line.

Signature of Judicial Officer

UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

**ELECTRONICALLY SUBMITTED AFFIDAVIT**

I, USFWS Special Agent Toni Wagner, state under oath as follows:

1. I am employed by the Department of Interior, United States Fish and Wildlife Service (USFWS), Division of Law Enforcement, and I am assigned to the Reno, Nevada office. I have been employed as a Special Agent with the USFWS for 17 years. I graduated from the Federal Law Enforcement Training Center in Glynco, Georgia, where I received comprehensive instruction as a criminal investigator, including training on illegal drug sales and possession. Prior to being employed as a Special Agent, I was a Game Warden for the Nevada Division of Wildlife for five years. I successfully completed the State of Nevada Peace Officer Standards and Training Program Category I at the Community College of Southern Nevada, Public Safety Training Center in Las Vegas, Nevada. Additionally, I have a Bachelor of Science in Biology with a minor in Chemistry and a Bachelor of Arts in Psychology from the University of Nevada, Reno (1994).

2. This affidavit is based on the investigation, observations, and/or experience of your affiant, as well as the investigations, observations, and/or experiences of the other law enforcement officers and/or witnesses including those that are described in this affidavit. Because this affidavit is being made to establish probable cause, your affiant has not listed every fact known about this

investigation.

### Introduction

3. This matter involves the unlawful possession of controlled substances (i.e., methamphetamine and marijuana) by William Starr Schwartz (SCHWARTZ) and Jeannie Elizabeth Cheney in violation of 21 U.S.C. § 844(a). They were found in SCHWARTZ's residence in Meadview, Arizona with the unlawfully possessed controlled substances on August 22, 2018 during the execution of a search warrant.

### Investigation/Probable Cause

4. On August 22, 2018, your affiant and several other federal agents and law enforcement officers served a federal search warrant at SCHWARTZ's residence in Meadview, Arizona. The search warrant was obtained from this Court, Case No. 18-04265MB, and concerned (among other violations) the possible theft of cacti from the Lake Mead National Recreation Area. I was part of the team of agents who executed the search warrant.

5. After arriving at the residence, agents knocked and announced. It took several minutes for the occupants to answer. Inside the residence was SCHWARTZ and an adult female identified as Jeannie Elizabeth Cheney (Cheney). Cheney said she was SCHWARTZ's girlfriend.

6. After entry into the residence, numerous small baggies with what are believed to be methamphetamine were observed inside the residence by myself and other officers and agents. In particular, in one of the back bedrooms, I observed

numerous small baggies that contained a white powdery substance believed to be methamphetamine based on my training and experience. The baggies were of the type that are typically used to sell illegal controlled substances. I also observed a small jar that contained a green leafy substance that I believe is marijuana (a Schedule I controlled substance that is illegal to possess).

7. Additionally, after entry into the residence, U.S. Fish and Wildlife Agent Lori Choquette observed two small baggies of suspected methamphetamine in one of the toilets. The baggies had a white powdery residue believed by the agent to be methamphetamine (a Schedule II controlled substance that is illegal to possess).

8. Throughout the residence, I observed large amounts of drug paraphernalia, including smoking pipes, a bong (typically used to smoke marijuana), needle (syringes), small blowtorches, and small baggies typically used to sell unlawful controlled substances.

9. Agent Choquette spoke with Cheney after entry into the residence. Cheney was brought outside for officer safety after the initial entry into the residence. Cheney said that both she and SCHWARTZ used methamphetamine and marijuana, and that there was methamphetamine and "weed" (a street name for marijuana) in the residence. Cheney also said there was a large amount of syringes in the residence. Based on my training and experience, in conjunction with unlawful drug sales/possession cases, syringes are typically used to inject heroin

into a person's body (i.e., arms, legs, or even between a person's toes).

10. Cheney eventually left the area, but SCHWARTZ stayed at the residence.

11. It also should be noted that as part of the cacti investigation, on August 2, 2018, USFWS Special Agent Edward Meyers placed a camera with a view of the driveway and porch of 150 E. Tusayan Drive, Meadview, Arizona. On August 3, 2018, photos were taken of a white male subject that appears to be SCHWARTZ leaving the residence at 10:17 a.m. and returning at 5:00 p.m. On August 6, 2018, photos were taken of the white male subject that appears to be SCHWARTZ leaving at about 10:06 a.m. and returning at 4:01 p.m. On August 8, 2018, when Special Agent Meyers returned to recover the camera, he observed a white male subject with grey/blonde hair on the porch for approximately 45 minutes. The person moved back and forth on the porch and out to vehicles in the driveway and to the trashcans before eventually going inside. A female was observed going outside and walking around using the flashlight on what appeared to be her phone. Special Agent Meyers reviewed the photos taken from the camera, and there were numerous people coming and going from the residence. Based on your affiant's training and experience, and in conjunction with the unlawful drugs and drug paraphernalia observed in the residence, the type of behavior described in this paragraph that occurred on August 8, 2018, is consistent with unlawful drug sales. (At this juncture, both suspects are only being charged

with simple possession of controlled substances.)

**Conclusion**

12. Based on the aforementioned, your affiant respectfully submits that there is probable cause to believe that there have been violations of federal law, including violations under 21 U.S.C. § 844(a), by Schwartz and Cheney.

13. Thus, your affiant respectfully requests the issuance of arrest warrants for Schwartz and Cheney.

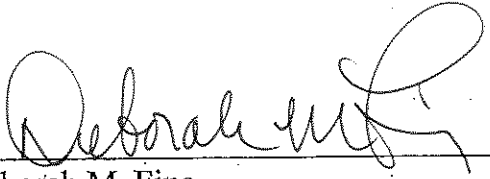
**Pursuant to 28 U.S.C. § 1746(2), I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.**

**TONI WAGNER** Digitally signed by TONI WAGNER  
Date: 2018.08.22 15:40:56 -07'00'

\_\_\_\_\_  
Toni Wagner, Special Agent, USFWS Date

  X   Sworn by Telephone

Date/Time: 8/22/18 at 4:15 p.m.

  
Deborah M. Fine  
United States Magistrate Judge