

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

**UNITED STATES OF AMERICA**

v.

**ELECTRONIC CRIMINAL COMPLAINT  
(Amended Complaint)**

**WULLIAM STARR SCHWARTZ  
(a/k/a William Starr Schwartz) and  
JEANNIE ELIZABETH CHENEY**

CASE NUMBER:

18-04271MJ-001-PCT-DMF

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, also known as WILLIAM 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, also known as WILLIAM 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).

COUNT 3

On or about August 22, 2018, in the District of Arizona, in Mohave County, the defendant, WULLIAM STARR SCHWARTZ, also known as WILLIAM STARR SCHWARTZ, did knowingly, intentionally, and unlawfully possess with intent to distribute a controlled substance, that being methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

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

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

TONI WAGNER Digitally signed by TONI WAGNER  
Date: 2018.08.24 12:18:36 -07'00'  
Complainant's Signature Date

\_\_\_\_\_ Sworn by Telephone

8/24/18 at 2:30 p.m.  
Date/Time

Flagstaff, Arizona  
City and State

Deborah M. Fine, U.S. Magistrate Judge  
Name & Title of Judicial Office

  
Signature of Judicial Officer

UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

**ELECTRONICALLY SUBMITTED (FIRST AMENDED) 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 Wulliam Starr Schwartz (SCHWARTZ), also known as William Starr 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.

4. This is an amended affidavit to include an additional charge against SCHWARTZ for possession of a controlled substance (methamphetamine) with the intent to distribute, in violation of 21 U.S.C. § 841(a)(1)(C). A second search warrant at SCHWARTZ's residence was conducted on August 22, 2018, and in excess of 24 grams (including packaging) of suspected methamphetamine was located in a male work boot in SCHWARTZ's bedroom. There was also a price list located that support unlawful drug sales.

**Investigation/Probable Cause**

5. 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.

6. 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, and that she had been staying with SCHWARTZ.

7. 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) on a table in front of the couch in the living room.

8. 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).

9. 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.

10. 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).

11. Cheney eventually left the area, but SCHWARTZ stayed at the residence on his own accord. SCHWARTZ was later arrested on a federal warrant in Case No 18-4271MJ-PCT-DMF.

12. 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.

13. On the afternoon of August 22, 2018, your affiant obtained a federal search warrant for SCHWARTZ's residence in Meadview, Arizona, which expanded the search of his residence for evidence of unlawful drug possession/sales in violation of 21 U.S.C. §§ 841(a) and 844(a). The search warrant was issued under Case No 18-04272MB. Your affiant, assisted by other agents, then searched SCHWARTZ's residence pursuant to that search warrant too.

14. During the search of SCHWARTZ's residence for drug violations, three separate baggies of white-colored substances were located in a male work-type boot in SCHWARTZ's bedroom. (There was only one bedroom in the house with a bed in it.) Two of the baggies were approximately 2" x 2" and had numerous small "rocks" of methamphetamine crystals inside of them. Another baggie was about 1" x 1", and it too had small "rocks" of methamphetamine crystals inside of them. There was also a piece of paper with suspected methamphetamine folded into it,

which was also found stuffed into the boot. This piece of paper had what appeared to be prices lists handwritten on it. The approximate weight of these three bags of suspected methamphetamine, plus the methamphetamine on the list of drug prices, is about 24.9 grams (with packaging). Two samples from the suspected methamphetamine recovered at SCHWARTZ's residence were later field-tested at the Las Vegas Metro DEA Taskforce Office, and the samples tested positive for the presence of methamphetamine.

15. The piece of paper with methamphetamine on it also had what appeared to be prices for drug quantities. For example, the list states:

To J.		Sell at	make
Gm	\$30.00	\$50.00	\$20.00
Ball	\$90.00	\$140.00	\$50.00
Qrt	\$175.00	\$275.00	\$100.00

16. The list goes on to list "My Prices," which includes notations for a "G" for "\$40-\$50, a "T," a "B," and "Q." There were various other prices and apparent weights listed on this price list.

17. Based your affiant's training and experience and discussion with other federal agents, a "G" (believed to be short for a gram), a ball (sometimes referred to as an eight-ball and is an eighth of an ounce or about 3.5 grams), and a "Q" (which is typically a reference to a quarter-pound), are common drug sale weights.



18. The quantity of drugs present (about 25 grams), as well as the numerous baggies found throughout the residence, also supports that the methamphetamine was possessed with the intent to distribute. Additionally, there were numerous small scales located in the house during the search warrant. Based on your affiant's training and experience, the use of scales (especially with the large amount of small baggies found throughout the residence) also supports the possession with intent to deliver illegal controlled substances (i.e., methamphetamine).

19. The methamphetamine located in the work-type boot was found in the only room in the house with a bed. This bedroom had one or more racks of what appeared to be male shoes, which is where the boot with the suspected methamphetamine was located. Additionally, inside the residence, we found mail addressed to "William Starr" with the address at PO Box 1048, Meadview, Arizona 86444, and we found shipping labels from William Schwarz at 150 E. Tusayan Drive, Meadview, Arizona 86444. We also found SCHWARTZ's wallet tucked inside the couch in the living room. An Arizona Identification Card located in that wallet states SCHWARTZ's name as "Wulliam Starr Schwartz." When speaking with SCHWARTZ about his name, he smiled at me and said his name was actually "William." SCHWARTZ said that the name "Wulliam" on his Arizona State Identification card was a mistake. It should be noted that the ID card was issued in 2007.

20. During the contact with SCHWARTZ prior to his arrest, he said that he is renting the house and had been living in Meadview, Arizona since 2010. SCHWARTZ said that Cheney had been staying with him at the residence for a few weeks. SCHWARTZ declined to answer questions about the drugs or concerning the cacti investigation.

**Conclusion**

21. Based on the foregoing, your affiant believes there is probable cause to support violations of federal law, including violations under 21 U.S.C. § 844(a), by Schwartz and Cheney. (The Court previously issued arrest warrants for both Schwartz and Cheney for violations under 21 U.S.C. § 844(a).) Additionally, your affiant believes that there is probable cause to support additional charges against SCHWARTZ for possession of a controlled substance (methamphetamine) with the intent to distribute, in violation of 21 U.S.C. § 841(a)(1)(C).

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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**

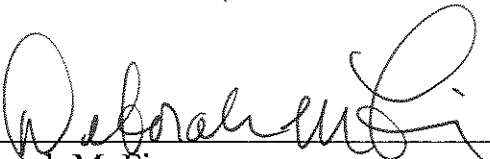
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Date: 2018.08.24 12:15:21 -07'00'

Toni Wagner, Special Agent, USFWS

Date

Sworn by Telephone

Date/Time: 8/24/18 at 2:30pm.

  
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Deborah M. Fine  
United States Magistrate Judge