

FILED

JUN 24 2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

U.S. DISTRICT COURT
EVANSVILLE, INDIANA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	
ETHAN PARKER,)	-01
AND)	
JOSHUA HARVEY)	-02
)	
Defendants.)	
)	

Cause No. 3:22-cr 24-RLY-MPB

INDICTMENT

The Grand Jury charges that:

COUNT 1
21 U.S.C. § 846
Conspiracy to Distribute Fentanyl

Beginning in or about January 1, 2022, and continuing up to and through April 4, 2022, in the Southern District of Indiana, and elsewhere, ETHAN PARKER and JOSHUA HARVEY, the defendants herein, did knowingly conspire together and with diverse other persons, known and unknown to the Grand Jury, to manufacture, possess with the intent to distribute, and to distribute 400 grams or more of a mixture or substance containing a detectable amount of fentanyl, N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide, a Schedule II Narcotic Controlled Substance.

In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), and 846.

OBJECT OF THE CONSPIRACY

1. The participants in the conspiracy sought to enrich themselves through the distribution and sale of fentanyl-laced counterfeit pills and to acquire tangible and intangible

benefits from the manufacture, use, possession, distribution, and sale of fentanyl-laced counterfeit pills in the Southern District of Indiana, and elsewhere.

MANNER AND MEANS

1. During the conspiracy, Ethan Shane Walker PARKER (“PARKER”), who resided in Evansville, Indiana, was a manufacturer and distributor of counterfeit fentanyl-laced pills. PARKER would obtain quantities of fentanyl powder from an unknown source of supply in the Louisville, Kentucky area and then manufacture fentanyl-laced counterfeit pills using a pill press.

2. During the conspiracy, Joshua Rudolph HARVEY, who resided in Evansville, Indiana, would transport PARKER to the Louisville, Kentucky area to acquire fentanyl powder from PARKER’s source of supply. HARVEY would then obtain fentanyl-laced counterfeit pills from PARKER and distribute the fentanyl-laced counterfeit pills to mid-level distributors in their drug trafficking organization, mainly in the Evansville, Indiana area.

3. Members of the conspiracy, at times, distributed the fentanyl-laced counterfeit pills on a “front,” wherein they provided quantities of fentanyl-laced counterfeit pills on consignment, receiving payment for the consigned fentanyl-laced counterfeit pills after sales were made by the other distributors.

4. The defendants used telephones to facilitate the fentanyl-laced counterfeit pills trafficking operation outlined herein. During the course of the conspiracy, the defendants spoke on telephones, at times using code language, and text messages, to discuss matters relative to their fentanyl trafficking operation. The defendants also utilized encrypted messaging applications to purchase, advertise, and sell fentanyl-laced counterfeit pills, as well as The Onion Router to access the Dark Web and facilitate drug transactions.

5. The defendants used motor vehicles to transport fentanyl powder, fentanyl-laced counterfeit pills, and United States currency constituting the proceeds of the sale of fentanyl-laced counterfeit pills to and from the Evansville, Indiana area and the Louisville, Kentucky area.

6. Members of the conspiracy maintained sizeable amounts of cash to obtain quantities of fentanyl powder and fentanyl-laced counterfeit pills and to pay for fentanyl laced counterfeit pills previously provided on consignment. Members of the conspiracy also utilized mobile payment services, such as Cash App, as well as cryptocurrencies, such as Bitcoin, to facilitate these transactions.

7. Various residences and properties were used by the defendants to store fentanyl, fentanyl-laced counterfeit pills, and United States currency generated from the sale and distribution of fentanyl-laced counterfeit pills, and from which to distribute and receive payment for the of fentanyl-laced counterfeit pills during the course of the conspiracy. Among the locations used were properties located on Bayard Avenue in Evansville, Indiana, and on Otter Court in Louisville, Kentucky.

OVERT ACTS

In furtherance of the conspiracy and to accomplish the objects of the conspiracy, that is to manufacture, possess with the intent to distribute, and to distribute fentanyl-laced counterfeit pills, the members of the conspiracy did commit, among others, the following overt acts:

1. On or about February 10, 2022, HARVEY distributed approximately 4 grams of fentanyl-laced counterfeit pills to a person known to the Grand Jury in Evansville, Indiana.

2. On or about February 10, 2022, HARVEY distributed approximately 5 grams of fentanyl-laced counterfeit pills and fentanyl powder to a person known to the Grand Jury in Evansville, Indiana.

3. On or about February 25, 2022, PARKER, utilized an encrypted messaging application to advertise the sale of fentanyl-laced counterfeit pills to HARVEY and other members of PARKER's "channel" devoted to the sale of controlled substances. PARKER quoted prices of \$375 for 50 pills, \$750 for 100 pills, and \$5,000 for 1,000 pills on the messaging channel.

4. On or about March 10, 2022, PARKER sent HARVEY a Facebook message directing HARVEY to utilize The Onion Router to access a webpage on the Dark Web.

5. On or about March 15, 2022, HARVEY sent PARKER \$900 through Cash App, a mobile payment service.

6. On or about March 16, 2022, HARVEY distributed approximately 10.5 grams of fentanyl-laced counterfeit pills and approximately 4.1 grams of fentanyl powder to a person known to the Grand Jury in Henderson, Kentucky.

7. On or about March 16, 2022, PARKER sent HARVEY a Facebook message and inquired, "You tryna make some bread?" HARVEY replied, "Maybe. I need some lbs. for the low. Like I guess if I have to drive to Louisville, I'll do it today."

8. On or about March 23, 2022, PARKER, communicating through an encrypted messaging application, agreed to sell HARVEY 100 fentanyl-laced counterfeit pills for \$350.

9. On or about April 4, 2022, HARVEY possessed with the intent to distribute approximately 31.9 grams of fentanyl-laced counterfeit pills in Evansville, Indiana.

10. On or about April 4, 2022, PARKER possessed with the intent to distribute approximately 86 grams of fentanyl-laced counterfeit pills in Evansville, Indiana.

11. One or about April 4, 2022, PARKER possessed one silver in color pill press and pill punch sets of various shapes and imprints for use in the manufacture of fentanyl-laced counterfeit pills in Evansville, Indiana.

COUNT 2
21 U.S.C. § 843(a)(7)
Distribution of a Tableting Machine

On or about August 25, 2021, in the Southern District of Indiana, ETHAN PARKER, a defendant herein, did knowingly distribute a tableting machine, to wit: a blue in color pill press, knowing, intending, or having reasonable cause to believe, that it will be used to manufacture a controlled substance.

In violation of Title 21, United States Code, Section 843(a)(7).

COUNT 3
21 U.S.C. § 843(a)(6)
Possession of a Tableting Machine

On or about April 4, 2022, in the Southern District of Indiana, ETHAN PARKER, a defendant herein, did knowingly possess a tableting machine, to wit: a silver in color pill press, knowing, intending, or having reasonable cause to believe, that it will be used to manufacture a controlled substance.

In violation of Title 21, United States Code, Section 843(a)(6).

FORFEITURE

1. Pursuant to Federal Rule of Criminal Procedure 32.2, the United States hereby gives the defendants notice that the United States will seek forfeiture of property, criminally and/or civilly, pursuant to Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c), as part of any sentence imposed.

2. Pursuant to Title 21, United States Code, Section 853, if convicted of the offense set forth in Count 1 of this Indictment, the named defendants shall forfeit to the United States any and all property constituting or derived from any proceeds the defendants obtained directly or

indirectly as a result of the offense, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense.

3. The property subject to forfeiture includes, but is not necessarily limited to, the following:

- a. one (1) blue in color pill press;
- b. one (1) die marked “GG 249” (Alprazolam);
- c. one (1) silver in color pill press;
- d. one (1) pill punch and die set marked “M” “30” (Oxycodone Hydrochloride); and
- e. six (6) pill punch sets of various shapes and imprints, including: “10 325” “R/P” (Percocet), “M” “30” (Oxycodone Hydrochloride), “B707” (Alprazolam), Sneaker logo, Bart Simpson face logo, and unmarked smooth round pill shapes.


4. The United States shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), and as incorporated by Title 28, United States Code, Section 2461(c), if any of the property described above in paragraph 3, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

e. has been commingled with other property, which cannot be divided without difficulty.



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