

UNITED STATES DISTRICT COURT
for the
Eastern District of Kentucky

United States of America
v.
KHMARI DUANE LAURICE SMITH
DOB [redacted]-2003, In Custody - Fayette County

Case No.
5:23-MJ-5318-MAS

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 1, 2023 - August 29, 2023 in the county of Fayette in the
Eastern District of Kentucky, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Row 1: Title 21 U.S.C. Section 846, Conspiracy to Possess With Intent to Distribute a mixture or substance containing a detectable amount of Cocaine, Methamphetamine and Fentanyl, all Schedule II Controlled Substances.

This criminal complaint is based on these facts:

See Attached Affidavit

[checked] Continued on the attached sheet.

/s/ Christine McHugh

Complainant's signature

Christine, McHugh, Special Agent - DEA

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Criminal. P. 4.1 transmitted by reliable electronic means (e-mail).

Date: 08/30/2023

Matthew A. Stinnett
Judge's signature

City and state: Lexington, KY

Matthew A. Stinnett, United States Magistrate Judge

Printed name and title

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
CENTRAL DIVISION  
LEXINGTON**

**UNITED STATES OF AMERICA**

**PLAINTIFF**

**v.**

**AFFIDAVIT**

**KHARI QUNARLL SMITH, and  
KHMARI DUANE LAURICE SMITH**

**DEFENDANTS**

\*\*\*\*\*

I, Christine McHugh, being duly sworn, do hereby depose and state:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am employed as a Special Agent (SA) with the Drug Enforcement Administration (DEA), and have been such since graduating the DEA Academy in Quantico, Virginia in May of 2021. I am currently assigned to the Lexington Resident Office Enforcement Group in Lexington, Kentucky. My current duty assignment includes, but is not limited to, investigating complex drug conspiracies and organizations and individuals involved in the possession of and trafficking in controlled substances. Prior to my current assignment with the DEA, I was a Border Patrol Agent in Ajo, Arizona for three years. I am authorized and have the responsibility to investigate persons for violations of federal law, involving the unlawful distribution of drugs, (21 U.S.C. § 841 (a) (1)), attempt and conspiracy to commit the same (21 U.S.C. § 846), money laundering (18 U.S.C. § 1956 and 1957), and illegal possession of weapons (18 U.S.C. §§ 922 and 924(c) (1)). In my capacity as a DEA Special Agent I am authorized to arrest persons for violations of federal law, including for those offenses listed above.

2. I have participated in drug investigations, including possession and distribution of marijuana, cocaine, methamphetamine, fentanyl, and other drugs. Through my training, education, and experience, I have become familiar with the manner in which persons involved in the trafficking of controlled substances and their methods of operation and attempts to avoid detection from law enforcement.

Specifically:

- a. I have conducted street surveillance of individuals engaged in drug trafficking. I have participated in the execution of search warrants where controlled substances, to include methamphetamine and fentanyl, drug paraphernalia, and drug trafficking records were seized;
- b. I am familiar with the appearance and street names of various drugs, including marijuana, heroin, cocaine, cocaine base (crack cocaine), methamphetamine, fentanyl, and other substances;
- c. I know that drug traffickers often use electronic equipment and wireless and land line telephones to conduct drug trafficking operations; and further, that drug traffickers frequently use multiple phones in addition to disposable or flip phones to evade law enforcement and conceal their activities;
- d. I know that drug traffickers commonly have in their possession, and at their residences and other locations where they exercise dominion and control, firearms, ammunition, and records or receipts pertaining to such;
- e. I know that drug traffickers often use drug proceeds to purchase assets such as vehicles, property, and jewelry;

- f. I have consulted with Special Agents and Task Force Officers who have extensive experience in this field, and they have provided me with guidance and knowledge regarding surveillance operations and drug investigations including the trafficking of methamphetamine; and,
- g. I have participated in an undercover capacity with other undercover agents in order to gain knowledge in identify targets of investigations related to drug trafficking.

3. This Affidavit is based upon my personal knowledge and upon information reported to me by other state and local law enforcement officers during the course of their official duties. The information contained in this Affidavit is not a complete account of everything known to me about this case. Rather, it contains the facts that I believe are sufficient to support a finding of probable cause to support the issuance of a Criminal Complaint and corresponding arrest warrant.

4. The investigation to date indicates that there is probable cause to believe that on or about May, 2023 to August 17, 2023, in Fayette County, in the Eastern District of Kentucky, Smith, Khmari Duane Laurice and Khari Qunarll Smith did knowingly and intentionally conspire to distribute a mixture or substance containing a detectable amount of methamphetamine, cocaine, and fentanyl, all Schedule II controlled substance, in violation of 21 U.S.C. §846 and § 841. The following facts support the finding of probable cause.

#### **PROBABLE CAUSE**

5. Khmari Smith and his Drug Trafficking Organization (DTO) are the targets of an ongoing DEA LRO investigation being conducted in conjunction with members of Lexington Police Department (LPD), Kentucky State Police (KSP), and DEA Detroit Field Division. In the month of May, 2023 investigators identified Khmari Smith as a suspected poly drug trafficker operating in Lexington, Fayette County, Kentucky in the Eastern District of Kentucky.

6. On August 28, 2023, members of the DEA LRO observed via electronic surveillance that a Chrysler 300 with Kentucky vehicle tag [REDACTED] and utilized by Khamri Smith was traveling from Detroit, Michigan south on Interstate 75 towards Lexington, Kentucky. At approximately 6:45 pm., agents acquired physical surveillance the vehicle on I-75 South near Scott County, Kentucky and observed as the vehicle immediately traveled to [REDACTED] Roosevelt Boulevard upon its return to Lexington, Kentucky. After arriving and parking on Roosevelt Boulevard, agents observed Khmari Smith, Khari Smith, and a third unidentified male exit the Chrysler 300 and approach the Roosevelt residence's front door. Approximately 15 minutes later Khmari Smith and Khari Smith were observed by surveillance team members to return to the Chrysler 300 and depart the residence. Investigators conducted surveillance of the vehicle and observed it travel directly to [REDACTED] N. Locust Hill Drive, Lexington, Kentucky. Agents observed both males exit the vehicle and retrieve 2 suitcases and 2 backpacks and enter into building 18 unit [REDACTED]. Agents are aware that Detroit, Michigan is a source city for controlled substances distributed by this DTO in Lexington, Kentucky.

7. On the morning of August 29, 2023, affiant applied for and received federal search warrants from United States Magistrate Judge Matthew A. Stinnett to search the residences located at [REDACTED] Roosevelt Boulevard, Lexington, Kentucky, and [REDACTED] N. Locust Hill Drive, unit [REDACTED] Lexington, Kentucky.

8. Prior to the search warrants, agents conducted surveillance of [REDACTED] Roosevelt Boulevard, Kentucky and [REDACTED] N. Locust Hill Drive, Lexington, Kentucky. At approximately 12:00 pm., agents observed Khmari and Khari exit unit [REDACTED] at [REDACTED] North Locust Hill, Lexington, Kentucky, and enter the Chrysler 300. Physical and electronic surveillance of the vehicle revealed it to travel to downtown Lexington, Kentucky, before ultimately traveling to [REDACTED] Roosevelt Boulevard.

9. At approximately 2:15 pm., members of the DEA Special Response Team (SRT) and members of the DEA LRO, Lexington and London executed the federal search warrant at [REDACTED] Roosevelt Boulevard, Lexington, Kentucky. In the driveway and inside the Chrysler 300 agents located Khmari Smith and Khari Smith. In plain view agents observed approximately 52 gross grams of suspected

fentanyl powder packaged in a clear plastic baggy located on the driver's side floorboard. Based on my training and experience and knowledge this amount of fentanyl is not consistent with that of personal use but is more typical of an amount that would be sold. Also inside the vehicle agents, located a Valvoline oil change receipt addressed to Khmari Smith at [REDACTED] N. Locust Hill Lane, Lexington, Kentucky.

10. Inside the Roosevelt Boulevard residence agents located and seized approximately 2.2 kilograms of suspected fentanyl compressed in the shape of a small square brick. Agents additionally located and seized approximately 120 gross grams of cocaine and 61 gross grams of crack cocaine from a night stand drawer located in a bedroom of the residence. A field test of the cocaine by a reliable law enforcement device showed the substance to be positive for the presence of cocaine, a Schedule II controlled substance. Due to the limitations of a hand-held mass spectrometer, the device could not provide a conclusive result for the suspected fentanyl. This is a common occurrence based on the chemical variance of fentanyl, but the substance appeared consistent in texture, color, and composition with previous amounts of fentanyl seized in other drug investigations by members of the LRO. A handgun was also located in the same nightstand drawer in close proximity to the suspected narcotics.

11. At approximately 3:00 pm., members of the DEA SRT and members of the DEA LRO and London, executed the second search warrant at [REDACTED] N. Locust Hill Lane, unit [REDACTED] Lexington, Kentucky. Inside the residence agents seized approximately 1.32 kilograms of suspected fentanyl packed in small clear knotted plastic baggies from a processing room within a closet. These baggies contained powder substances that resembled the substance seized inside the Chrysler 300 earlier this same day. In the living room closet, agents located a drug processing area complete with cutting agents, personal protection equipment, a press, and labeled areas indicating which amounts were to be mixed with the narcotics. Agents tested approximately 87.9 gross grams of the suspected fentanyl that was out of the 1.32 kilograms which tested positive for fentanyl. The agents also tested an additional amount of approximately 249 gross grams of suspected methamphetamine which field tested positive for methamphetamine. In the drug processing room, agents further seized fifteen firearms and \$650.00 in suspected drug proceeds. Based on my training and experiences, I know that drug traffickers utilize

additives or adulterants to maximize the weight of drugs for sale. They also utilize press machines to repackage controlled substances with adulterants and additives to increase profits on those sales.

12. In addition to the processing room, agents observed two bedrooms both containing men's clothing. In one room an agent seized a handgun found on the bed. The second bedroom agents found multiple documents in the name of Khmari Smith. In this room in the nightstand agents seized \$23,000.00 in rubber bands. In this same nightstand agents located an additional Valvoline oil receipt for the Chrysler 300 in the name of Khmari Smith with a provided address of [REDACTED] Roosevelt Boulevard. In the bedroom on top of the nightstand agents also observed a money counter. Based on my training and experience, I know that drug trafficking organizations routinely utilize money counters to organize drug proceeds to pay their sources of supply for outstanding debts.

13. It is the experience of affiant and other agents that drug traffickers commonly utilize locations like the ones searched to attenuate their personal home from storage locations for bulk drugs. Affiant is aware that organization members do this to lessen the risk of criminal liability or financial loss should law enforcement or thieves identify their home residences. These "stash houses" are frequently leased or owned in third party names to separate the ultimate users' association with the locations.

### CONCLUSION

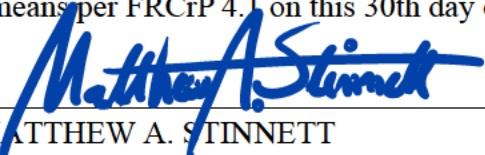
14. It is the opinion of your affiant that the facts above forth above support that there is probable cause to believe that on or about May, 2023, and continuing through August 29, 2023, in Lexington, Fayette County, in the Eastern District of Kentucky and elsewhere, Khmari Smith and Khari Qunarll Smith did knowingly and intentionally conspire to distribute a mixture or substance containing a detectable amount of cocaine, methamphetamine, and fentanyl, all Schedule II controlled substances, in violation of 21 U.S.C. § 841, all in violation of 21 U.S.C. §

846.. I declare under the penalty of perjury that the above-statement is true and correct to the best of my knowledge, information, and belief.

/s/ Christine McHugh

Christine McHugh  
Special Agent  
Drug Enforcement Administration

Attested to by applicant by reliable electronic means per FRCP 4.1 on this 30th day of August, 2023.

  
Matthew A. Stinnett  
MATTHEW A. STINNETT  
U.S. MAGISTRATE JUDGE