

November 09, 2011 | Posted by [Wendy Schultz](#)

Medical marijuana dispensaries disappearing in Placerville

The Placerville City Council took another step toward banning medical marijuana dispensaries (MMD) in the city of Placerville with the introduction of an ordinance at Tuesday's meeting.

The audience at Tuesday's meeting was sparse, in stark contrast to the packed houses that helped to promote the ordinance to allow MMDs in 2006.

The city has had a moratorium on the establishment and operations of MMDs since February 2010. The moratorium will expire on Jan. 0, 2012 and cannot be extended.

City Attorney John Driscoll detailed the reasons for adopting a ban against the establishment and operation of MMDs, citing recent case decisions and the city's experience in the past five years with the dispensaries that have operated in Placerville.

The Compassionate Use Act, adopted by voter initiative in 1996, permits patients and their primary caregivers to possess and cultivate marijuana for medical purposes where such use has been recommended by a physician.

"The CUA doesn't provide for the operation of medical marijuana dispensaries — it's not even addressed," said Driscoll. "It provides for the possession and use of marijuana by qualified patients supplied by a primary caregiver."

A 2010 California Supreme Court decision in *People v. Kelly* basically eliminated restrictions on the amount of marijuana a qualified patient can possess.

"So law enforcement is presently without guidance as to the amount of marijuana a patient can possess," said Driscoll. "This has affected the city's ability to properly control MMD operation and enforce the regulations."

Another case, *Mentch v. Superior Court*, involves the definition of "primary caregiver." As defined by the court's analysis, a primary caregiver must be a person who has consistently assumed responsibility for the housing, health or safety of the patient. Cannabis clubs would not qualify as primary caregivers. This makes it difficult for MMDs to qualify as primary caregivers and so enforcing the regulations is even more difficult, said Driscoll.

Placerville Police Chief George Nielsen reviewed the city's experience with MMDs.

"Our first applicant surrendered his permit before he had been in operation a year, saying that he was under pressure from a criminal element to use his dispensary to sell other drugs."

He cited the federal crackdown on the operation of MMDs and increased burglaries, robbery, loitering, sales to minors and driving under the influence as problems associated with the medical marijuana dispensaries.

"We aren't staffed to deal with MMD issues as our staff of officers is down from 21 to 17," said Nielsen. "It takes 80 to 100 hours of staff time to process applications for each dispensary."

City resident Evelyn Veerkamp protested any impediment that would make it more difficult for those who benefit from medical marijuana to obtain it.

"I have seen first-hand the therapeutic benefits of medical marijuana for cancer patients with chemotherapy."

She noted a contradiction in the law, saying that patients may grow it for their own therapeutic use, but citing a white paper on marijuana dispensaries by the California Police Chiefs Association's Task Force on Marijuana

Dispensaries spelling out the increase in home invasion robberies with people who do.

“Most people don’t even grow their own tomatoes,” said Veerkamp.

Councilman Carl Hagen said, “This is no time to expend funds enforcing a law that isn’t clear. Until the federal government does something about that, we don’t have the \$8,000 to \$10,000 to run an investigation on each MMD application.” Hagen said he voted in favor of allowing MMDs in Placerville, but has since found that it is not beneficial to the city.

“Our goal as City Council is to provide a safe, viable economic environment,” said Councilwoman Wendy Mattson. “It is more responsible to be supportive of federal laws instead of this nebulous, confusing enforcement issue.”

Councilwoman Patty Borelli said she agreed with Hagen and Mattson. “I voted for MMDs earlier and we gave it a good chance, but it was quite an ordeal. Until this is straightened out between the state and the feds we don’t need to be a part of it.”

Mayor Pro Tem Mark Acuna said he was surprised at the low audience numbers at Tuesday’s meeting.

“The need for medical marijuana is still there and I believe it helps give great relief to some patients, but it’s not financially responsible of the city to get between the state and the federal government.”

A vote to introduce an ordinance banning the establishment and operation of MMDs within the city of Placerville and waiving the first reading passed with four aye votes. Councilman David Machado was absent.

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THE SACRAMENTO BEE sacbee.com

South Sacramento medical pot provider faces U.S. prosecution

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To federal authorities, Bryan Smith was living a most profitable existence.

The 27-year-old ran R & R Wellness Collective, a south Sacramento dispensary registered as a nonprofit medical marijuana provider.

But U.S. prosecutors say the young dispensary boss was part of a lucrative conspiracy involving multiple growing houses, stolen electricity, pot distribution to Southern California and vast wads of cash.

In a Sept. 12 criminal complaint against Smith and five others, authorities suggested Smith courted a medical marijuana high life and boasted of his success in a video said to be an attempt at an audition tape for the MTV program "True Life."

Smith's attorney, Mark Reichel, said his client is an honest businessman with no criminal record who was trying to operate a city-licensed dispensary "lawfully as a nonprofit" under state law.

R & R Wellness is one of 38 establishments allowed to operate under Sacramento's medical marijuana rules, which include business and licensing fees and a medical marijuana tax, approved last year.

State criminal charges were filed in February against two men at the Horizon Collective on Power Inn Road accused of selling to people without medical marijuana recommendations. Now R & R Wellness faces a more dire prospect of federal prosecution.

Smith is charged along with his father, Kelly Smith, 54, of Elk Grove and three other area men – Daniel Goldsmith, 25, Bruce Goldsmith, 60, and Ryder Phillips, 25 – said to be marijuana growers.

Also charged was a Southern California man, Robert Klaus, 34, accused of buying, selling and growing pot in a conspiracy with the others. The defendants could face up to five years in federal prison.

Michael Wise, the attorney for Kelly Smith, said, "You have a group of individuals who are trying to comply with state law, and we're starting to see conflict with state and federal law."

After Elk Grove police and Sacramento County sheriff's investigators raided R & R Wellness on Quinta Court, medical marijuana advocates decried it as an attack on patients by police in search of a crime.

Kris Hermes, an Oakland-based spokesman for Americans for Safe Access, now blasts authorities' decision to refer the case for federal prosecution. Since marijuana is illegal under U.S. law, Hermes

said, a federal trial prevents defendants from arguing they were complying with California medical marijuana law.

"These gentlemen will be denied a defense and will probably never be able to utter the words 'medical marijuana' in the courtroom," Hermes said.

After Elk Grove police pulled over Bryan Smith's truck in June, they found \$16,700 in a backpack and \$256,000 – most in vacuum-sealed bags of \$100 bills – in his house.

On Smith's computer, said Drug Enforcement Administration special agent Miguel Zavala, was a "comical and incriminating 8-minute video," in which Smith appears to audition for an MTV television segment by boasting of raking in \$100,000 every 40 to 60 days from marijuana. The "True Life" series has a pot-themed segment called "I'm in the Marijuana Business."

In the video, Smith says, "Every day I'm in fear of being raided by the feds," according to Zavala's affidavit filed in federal court in Sacramento.

Zavala said Smith bragged that he is in the medical marijuana business for profit. The agent said Smith said he was glad Proposition 19 – the 2010 California ballot measure to legalize pot for recreational use – failed "because he was not ready to see prices plummet He wants to make as much money as possible."

Reichel said Bryan Smith is neither a marijuana profiteer nor guilty of a crime. He said the cash he had was for dispensary expenses, including sales tax payments to the state Board of Equalization, salaries and "everything you need to run a business."

The lawyer said legitimate marijuana outlets often have no place to put their money because banks fear the scrutiny of federal regulators if they service accounts for dispensaries.

"There is not a bank in town that will let him deposit that money," Reichel said. "It is very difficult to run a business and comply with all the applicable laws when you can't find a bank that is willing to do business with you."

Authorities, however, said they seized \$39,000 from bank accounts held by Kelly Smith, Bryan Smith and R & R Wellness. Attorney Wise said the father's only money was a retirement account. "He had absolutely no proceeds from the dispensary," Wise said.

Authorities seized 139 pounds of marijuana at the dispensary and more than 2,200 plants at six locations. They allege two residential growing sites were jury-rigged to steal electricity.

The alleged conduct was shocking to Lanette Davies, a medical marijuana advocate whose family runs Sacramento's Canna Care dispensary.

"I was appalled," said Davies, who said her dispensary handles about 2 to 3 pounds of marijuana a day and has little cash or stockpiles of marijuana in reserve. "What the hell is the matter with these guys? I don't have 139 pounds anywhere. And stealing electricity? Please."

Besides 317 marijuana plants authorities found at the Galt home of Daniel Goldsmith, an alleged contract grower for R & R Wellness, they found a cellphone with photos "of stacks of money, money fanned out, money on countertops," Zavala wrote.

The agent said phone messages indicated Goldsmith was selling marijuana to buyers in Los Angeles and from Phoenix. Authorities also alleged that Klaus, a San Diego commercial real estate broker who

met Goldsmith at the R & R Dispensary, was selling marijuana for him for \$2,500 a pound.

Zavala said Bryan Smith demanded a share of payments from Klaus, who authorities said also grew more than 700 plants.

Reichel said Smith had only a "tenuous tie" with the Goldsmiths and "that doesn't mean Bryan was in a conspiracy with a guy from San Diego."

Davies said Bryan Smith "always seemed like a very enterprising, honest man."

And Brad Wassen, revenue manager for the city of Sacramento, said R & R Wellness had paid its business taxes through June – plus a \$5,000 first installment toward \$37,000 in fees required for a permanent operating permit.

R & R Wellness shut down after the raid. Reichel said the federal case has convinced Bryan Smith to keep it closed.

"He made a decision not to ever go back into the business," the lawyer said. "There is too much risk with the federal government's position."

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Call The Bee's Peter Hecht, (916) 326-5539.

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September 17, 2011

Two men with gun stick up Redding pot dispensary

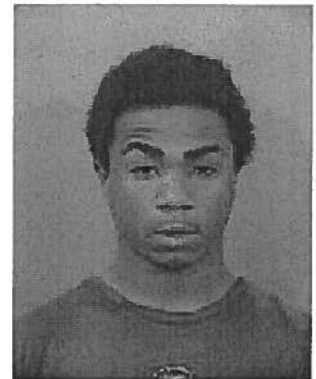
By Carlos Alcalá
calcala@sacbee.com

Redding police say a robbery at a marijuana collective this week could be related to a string of others in the city.

The latest hold-up took place Thursday at about 6:45 p.m. at the Trusted Friends marijuana collective on Pine Street.

Two men, one armed with a gun, entered the business and demanded cash and marijuana.

One suspect has been identified as Joshua Don Wright (photo right), 19, of Redding.




He is an African-American male, 5 feet 6 inches tall and about 150 pounds, with black hair and brown eyes.

He is considered armed and dangerous.

The second suspect, who was masked and carrying a weapon, was described as a light-skinned African-American male, about 6 feet tall and 170 pounds, wearing a dark jacket and green plaid pajama-style pants.

Call The Bee's Carlos Alcalá, (916) 321-1987.

Categories: Property Crime

 Posted by **Edward de la Fuente**
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About Comments

Wednesday, October 12, 2011

Police find marijuana garden next to school

By Jim Ratajczak

Staff writer

Placerville police officers last week found a sizable marijuana garden growing less than 100 feet away from El Dorado High School.

Placerville police Capt. Mike Scott told the Mountain Democrat that the school's resource officer initially raised

the issue by expressing concern over a possible pot grow just south of the high school campus.

On Thursday morning, officers responded to the suspected location — a residence in the 500 block of Fairview Drive.

According to Scott, officers found 19 marijuana plants at the residence.

The owner, 22-year-old Kosai French of Sacramento, was in possession of a medical cannabis card, Scott said. But regulations require growth to occur at least 600 feet away from school grounds.

The Fairview Drive residence where the plants were found is less than 100 feet away from El Dorado High School, according to Scott.

"We were concerned with students hiking down there and having a confrontation with the suspect," he said.

French was arrested Thursday morning on suspicion of illegal marijuana cultivation. Jail records indicate he was released on \$17,500 bail later that afternoon.

THE SACRAMENTO BEE sacbee.com

Marijuana garden shootout leaves one dead, five in custody in Amador County

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Published Friday, Sep. 30, 2011

Neighbors reported a few shots shattering the night in rural Amador County, then more gunfire exploding like rolling thunder.

Sheriff's deputies, racing to a former horse property near the town of Ione, found 779 marijuana plants, bullet-riddled trailers and a dead man – covered in blood – grasping an empty shotgun.

On Thursday, two days after the wild shooting that allegedly involved gang members trying to steal marijuana, Amador authorities held five young men in custody. They were juggling both a homicide investigation and a probe into possible illicit dealings in the name of medical marijuana.

The deadly incident illuminates the dangerous lure of marijuana gardens – medical or otherwise – during the fall harvest season. The investigation also underscores law enforcement's dilemma in determining at what scale medicinal cultivation may constitute illegal pot growing or trafficking.

Amador County Sheriff Martin Ryan said he is just glad that his officers, who arrived as two vehicles were speeding away, weren't caught in the shootout.

"Grows of this type have become a very attractive option for criminals to attack for the cash value," Ryan said. "And these gang members would not have been in our county had it not been for the lucrative financial opportunity.

"We were within a minute of being in the middle of that shooting."

Amador authorities Thursday were withholding the names of the alleged gang members, ages 18 to 23, as an FBI evidence team arrived to assist at the shooting scene. Law enforcement in Sacramento County, meanwhile, served search warrants on separate marijuana growing sites – one allegedly connected to the Amador County property, the other possibly tied to suspects in the killing.

"We are investigating all aspects of this, from the gang-organized part of it to the marijuana cultivation to the robbery-murder," said Amador Undersheriff James Wegner.

The dead man, He Ting Fu, 45, was described by authorities as a pot grower who – with three other people on the property – got physician's recommendations to grow 99 plants each for their medical conditions.

Wegner said a man who identified himself as Fu's nephew contacted authorities, telling them that his wife owned the property. He said the man told deputies that the couple cultivated medical marijuana in Elk Grove but not at the Amador site, where growers had 8 pounds of processed marijuana, 400 outdoor plants and 379 more in indoor cultivation rooms.

The suspected assailants were described as gang members from Sacramento with semiautomatic pistols, a flak jacket marked "SWAT," plastic handcuffs, a flashing police light, and pruning shears and bags - apparently for cutting and stealing marijuana.

The suspects were arrested after being stopped in a green Ford Expedition on Carbondale Road. But authorities lost sight of a second vehicle that fled on Ione Michigan Bar Road.

The shooting was unnerving to Ryan Landers, a senior adviser for a medical marijuana advocacy group, the Compassionate Coalition.

"It's the most dangerous time for a grower right now," said Landers, a Sacramento resident and AIDS patient who grows plants for his personal use.

The danger can be deadly for both the growers and those who want to take their pot. Last week, a 29-year-old man who was allegedly attempting to steal medical marijuana from a North Sacramento backyard was shot and killed. In 2009, a Sacramento man was killed in one of three home invasions targeting plants of medical marijuana users.

Landers said he was bothered by the scale of the Amador County cultivation. He said a setting with multiple marijuana patients with recommendations for 99 plants sounded more like people cashing in to sell pot than caring for themselves or others.

"There are people like me who are dying, who are cancer patients, AIDS patients," Landers said. "They can't live without their medical marijuana. But they're not the ones out growing 500 plants."

Last year, the California Supreme Court threw out the state's 2003 marijuana cultivation limits of six mature plants and 8 ounces of dried marijuana per medical user. The court said the Legislature, which allowed local jurisdictions to enact higher limits, improperly amended the 1996 state initiative that legalized medical marijuana use.

Peter Dunbar, vice president of the California Police Chiefs Associations, said people aren't immune from prosecution based on the number of plants a physician may recommend, particularly if police suspect marijuana is being possessed for sale.

"You get incidents with these grows that are so large and people will say, 'Well, I've got a medical marijuana card,' " said Dunbar, the police chief in Pleasant Hill. "But, no, it's outside the law."

Ryan, the Amador sheriff, said investigators hope to interview other people who were growing marijuana on the Amador property. He said the case will be referred to the district attorney to determine whether they were violating state laws "because of the large number of plants."

He said the suspects were being held for investigation of attempted robbery and conspiracy while authorities continue the homicide probe.

Dunbar said the incident "shows the lengths people will go to to steal" marijuana.

"Back in the '80s and '90s, marijuana wasn't grown on farms, in backyards or indoors like it is today,"

he said. "That just makes it more dangerous for people around it."

Editor's note: A previous version of this story had an incorrect name for the street on which a vehicle fled from authorities.

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Call The Bee's Peter Hecht, (916) 326-5539. Staff writer Cathy Locke contributed to this report.

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March 24, 2011

El Dorado County pot grower loses parole bid over shootings

By Bee Staff

An El Dorado County marijuana grower who was convicted of the attempted murders of his brother-in-law and his nephew has lost his bid for a parole, the El Dorado County District Attorney's Office said.

A state Parole Board panel ruled Tuesday that Silvestre Gonzalez, now 49, could not apply for another parole for 10 years, said Deputy District Attorney Jamie Verwayen, who appeared at the hearing on behalf of the DA's Office and the victims' family.

The victims had innocently wandered near Silvestre Gonzalez' pot grow and a guard shot them.

Gonzalez was convicted of two counts of attempted murder. He was sentenced to two consecutive life terms, plus an additional year for each term, The Bee reported.

Gonzalez armed a 78-year-old laborer, Luis Lopez Arriaga, and told him to shoot anyone who came near Gonzalez' marijuana garden.

On Oct. 8, 2000, Arriaga shot and nearly killed William "Bill" Hunt and his 8-year-old son as the pair walked near a hidden marijuana plot on the Hunt family's vast, forested property near Georgetown.

Arriaga was convicted of two counts of attempted murder and sentenced to two consecutive life terms in prison, plus two 25-years-to-life enhancements for using a firearm. Arriaga died while incarcerated, records indicate.

Gonzalez - who was married to Hunt's sister - was the "mastermind" of a clandestine marijuana-growing operation that was run on the Hunts' mountainous property without the family's knowledge, the prosecutor in the case said.

Posted by **Bill Enfield**

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Proliferation of pot

Sheriff's deputies bust several high-volume marijuana farms

By Tom Gascoyne

Harvest time in Butte County is winding down, and the Butte County sheriff's Special Enforcement Unit had a fruitful October, uprooting 4,056 female marijuana plants and gathering 6,654 pounds of processed marijuana. It also arrested 10 people—alleged growers, their helpers and a pot hauler.

Various weapons, other drugs and 19 adult dogs and 19 puppies were also confiscated.

“There is not necessarily more being grown,” said sheriff's Detective Doug Patterson. “We're just really kicking ass. Last year a lot of our time was taken up policing the dispensaries,” he said, referring to a sting operation that effectively closed down the eight operating dispensaries in the county.

The last, North Valley Holistic Health, shut its doors two weeks ago. The county recently made permanent its temporary ban on such places of distribution.

Patterson said local law enforcement is working with federal officials, who began kicking up their war on the state's marijuana industry earlier this summer.

“We are dealing with the biggest and the baddest players,” Patterson explained. “They have not had the attention on them they should have had.”

The county uses two helicopters for foothill flyovers to look for gardens in large back yards or in wilderness areas. He said they also get tips from “pissed-off neighbors.”

This summer the county Board of Supervisors adopted an ordinance addressing the growing of medical marijuana as prescribed by an interpretation of the 15-year-old Proposition 215, also known as the Compassionate Use Act of 1996. Many in the growing community saw the ordinance as too restrictive,



Last month, deputies found this dried marijuana and money stashed in a toilet in a residence off Helltown Road in Butte Creek Canyon.

Photo courtesy of Butte County Sheriff's Office

and a local group organized a successful referendum. That ordinance will now be put to a vote of the people in June.

“They are using Prop. 215 [as a defense], but it’s blatantly out of control,” Patterson said. “People are getting tired of it. They see these people who don’t work sitting around with thousands of dollars, new cars and partying, and they are tired of it.”

A common practice employed by growers is to post a collection of medical-marijuana patients’ recommendations at the grow site to validate the size of the garden.

In such cases, the original recommendation holder is contacted, Patterson said.

“And they’ll say something like, ‘What? Where is it? I gave it to somebody in Marysville.’ You can make the scripts on your computer, they are so generic. And some come from previous years with the dates whited-out and new dates forged on them,” he said.

Some of the doctors are less than scrupulous, he continued, offering patients “superscripts” for \$250, which allegedly allow the holder to grow up to 60 plants.

“As it is, doctors can only make dosage recommendations that a patient can use in a week and up to a year,” he said. “An ounce a week translates to three pounds in a year.”



What follows is a chronological rundown of the major October busts made by the Special Enforcement Unit and based on their press releases.

In the early morning hours of Oct. 4, the unit working with the Butte County Inter-Agency Narcotics Task Force served one search warrant in the 2600 block of Bald Rock Road in the foothill community of Berry Creek and a second in the 4100 block of Keefer Road in north Chico.

The warrants were the result of an investigation that took several months; seven suspects were arrested. The Berry Creek search yielded 76 “extremely large flowering” marijuana plants, a trimming machine, \$15,000 in cash, one firearm and psilocybin mushrooms. Agents arrested two men from Mexico, one from Georgia, another from Florida and one from Berry Creek.

The property owner was a man named David Najera, who was also allegedly growing pot at a rental property on Keefer Road. A search warrant was served there, and more marijuana was located. Najera

was arrested.

Two days later, again in the early morning, the unit, working with U.S. Forest Service agents, raided a garden in the Big Bar area of Feather River Canyon, where they found 25 pounds of processed pot and 3,328 female plants, which were pulled. There was a camp by the garden that included a kitchen area, a sleeping area, a stove, propane tanks, pots and pans, canned foods, fertilizer and pesticide. No one was arrested on this raid.

That same day the unit issued a follow-up search warrant to another residence in Berry Creek, this one on

Simmons Road.

This time, deputies found the house abandoned, and according to the press release, “clothing strewn around the bedrooms, food still in the oven, and the home in general disarray.”

No one was located on the grounds, but 81 female plants were found, as was 94 pounds of processed pot, an indoor growing room and a 9mm handgun.

According to the press release, “Deputies believe this home, as with the Berry Creek and Keefer Road homes, was being used to cultivate marijuana for the purposes of sales under the disguise of Proposition 215. Najera is currently still in the Butte County Jail with bail set at \$1,000,000.”

Six days later the unit served a warrant on Rocky Top Road in Cherokee and was “spotted by several Hispanic male adults who fled on foot into thick underbrush.”

The men had been trimming 91 female marijuana plants before they disappeared. The deputies located 900 pounds of processed pot and a loaded 12-gauge shotgun.

The press release for this raid read: “The persons responsible for the marijuana garden were attempting to legitimize their illegal operation by using Proposition 215 as a disguise.”

Later that night, at about 8 o’clock, Deputies Joel Malinowski and Charlie Comer conducted a traffic stop in Paradise on a GMC Yukon towing a large trailer along the Skyway. Its rearview mirrors were not large enough to accommodate the trailer.

After smelling marijuana in the trailer, agents questioned the driver, 21-year-old Nadeem Khan of Foster City. Khan had purchased the trailer that day with cash and was transporting 1,966 pounds of processed marijuana loaded into 189 Home Depot cardboard boxes and headed from a grow site in Helltown to a home in Paradise. The marijuana was grown for a San Jose dispensary called the Purple Lotus.

Kahn was arrested on a felony count of transporting marijuana.

And two days after that, the unit, this time with assistance from BINTF, the Plumas and Yuba County sheriff’s offices and agents from Fish and Game, Immigration and Customs Enforcement, Butte County Probation, and the U.S. Drug Enforcement Administration served four search warrants on Helltown Road in Butte Creek Canyon.

Agents found several people working on plants, but only one, a man from Soledad, was arrested, on a charge of possession of cocaine. Officers found 10 growing sites over four parcels and determined it was being operated by a Bay Area marijuana storefront and was the source of the trailer load found in Paradise and headed to San Jose. Another 2,120 pounds of processed pot and 451 plants were located at the site.

The press release from the Sheriff’s Office had a familiar ring: “The people responsible for the marijuana grow sites attempted to hide their illegitimacy by posting Proposition 215 medical marijuana recommendations at each grow site. Deputies were able to show that the marijuana gardens were not as they appeared but actually a commercial operation hiding under the disguise of Proposition 215 for the purpose of sales.”

A few days after that the unit served a warrant in Oroville and found 1,505 pounds of processed marijuana and 209 plants. They also found in backyard pens 19 adult dogs and 19 puppies and two dozen chickens and roosters. The property owners were believed to be operating a puppy mill and raising roosters for

fighting.

Five people were interviewed and two—Eldred Varnado of Oroville and Phillip Schamburg of Sacramento—were arrested on marijuana charges.

Patterson said these “massive plantations” are growing marijuana to ship it out of state.

“We’ve been working with the feds getting some financial help,” he said. “The search warrants we do on our own, but if we get the first notion of interstate trafficking, we pitch it to the feds. Then [the accused] have to deal with federal law enforcement rather than the county. And that helps with some of our court costs.

“It’s kind of crazy; there are shipments of weed going out year round, 80 percent leaves the area or they’ll hold onto it here until mid-summer when the price goes up and then sell it.”

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September 22, 2011

Homicide detectives investigating Del Paso Heights death

Homicide detectives are investigating the death of a man in the back yard of a Del Paso Heights home.

Officers responded about 3 a.m. this morning to a report of a man who had been shot at a house in the 600 block of Morey Avenue. When they responded to the house, they found a man dead with "upper body trauma," according to police spokeswoman Officer Laura Peck.

The man was identified as Vue Cheng, 29.

Officers found marijuana growing on the property and police said it appears the homeowner had the legal right to grow the marijuana.

Peck said would not comment on media reports that the man was shot while he was attempting to steal the marijuana.

"Homicide investigators are here looking into everything," said Peck. "There was marijuana at the location. The specifics around that are not releasable."

The Bee's Peter Hecht contributed to this report.

Categories: Homicide, Sacramento, Sacramento County



Posted by **Bill Lindelof**

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October 26, 2011

Five men indicted in marijuana trafficking conspiracy

Five Sacramento-area men have been indicted in connection with a marijuana trafficking conspiracy.

A federal grand jury in Sacramento today returned a 23-count indictment charging Thomas Holzmann, 24, Peter Holzmann, 23, and Joseph Andrade, 24, all of West Sacramento, as well as Jonathan Sherman, 27, of Sacramento, and Eddy Arevalo, 29, of the El Dorado County community of Somerset, with conspiring to cultivate and distribute marijuana, and various other drug offenses.

Sherman also was charged with multiple counts of structuring and money laundering. Structuring occurs when large sums of currency are broken up and deposited in amounts less than \$10,000 to avoid filing reports required by federal law, according to a federal Department of Justice news release.

According to court documents, the conspiracy came to the attention of law enforcement on Dec. 9, 2010, when the Sacramento Municipal Utility District reported suspicious activity at a large warehouse on Lathrop Way in Sacramento. During a security sweep of the warehouse, agents discovered a large indoor marijuana growing operation.

The initial investigation led to the arrest of two defendants on state charges and the dismantling of two warehouse marijuana grows in Sacramento and West Sacramento. Brothers Peter and Thomas Holzmann were identified as the individuals running the operation, officials said.

According to the indictment, between December 2010 and October of this year, the defendants grew marijuana using sophisticated equipment in large warehouses. They allegedly distributed marijuana in the Sacramento area and attempted to ship packages of marijuana to New York. According to court records, financial records obtained in the investigation reflect large deposits at banks in eastern states and large withdrawals in the Sacramento area.

The men were arrested Oct. 12, and all have been in custody since then, except for Andrade, who was released on bail.

The case resulted from an investigation by the Drug Enforcement Administration, the California Department of Justice, Bureau of Narcotic Enforcement, and the Sacramento County Sheriff's Department.

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September 30, 2011

Rancho Cordova shooting erupts over marijuana grow

Another instance of violence has occurred in connection with a marijuana grow -- this time in Rancho Cordova.

Rancho Cordova police said that just before 11 p.m. a Sacramento County Sheriff's deputy heard gunshots ring out near Coloma Road and Ranchito Court. While deputies searched for the source of the gunshots, they were waved down by a man with a bleeding hand.

The injured man told them he had been injured in a robbery at his home in the 2200 block of Bota Court. He said that he had been told that someone had tried to steal his medical marijuana from his backyard while he was away.

He returned home to fix the chain-link fence that had been cut open in the attempted theft. While making the fix, he was confronted with an armed man.

A struggle began. Soon, two more intruders appeared, one armed with a gun and the other with a knife.

The pot grower yelled for help from others in his home. Gunshots were fired and the home was hit by bullets but neither the pot grower nor anyone in the house was hit.

The suspects fled. The resident of the home believes he was injured not by a gunshot, but that he was cut during the struggle with the initial gunman.

A search did not turn up any of the suspects, but a knife was recovered that may have been used by one of the intruders.

The Rancho Cordova incident is only the latest violence associated with a marijuana grow. Sacramento police homicide detectives are investigating the death of a man last week in the backyard of a Del Paso Heights home.

Sacramento police officers responded last week to a report of a man who had been shot at a house in the 600 block of Morey Avenue. When they responded to the house, they found a man dead with "upper body trauma."

Officers found marijuana growing on the property and police said it appears the homeowner had the legal right to grow the marijuana.

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2 arrested after armed robbery of pot distributor

The Associated Press

Published Wednesday, Nov. 09, 2011

SAN FRANCISCO -- Two teenagers have been arrested after the armed robbery of a California medical marijuana distributor.

San Francisco police say 18-year-old Kevin Carey Harvell II and 19-year-old Aivan Eugene Acala responded to an online advertisement for medical pot.

The San Francisco Chronicle (<http://bit.ly/tf5vqJ>) says they arrived at the home of the 24-year-old distributor Friday afternoon and pulled out a handgun when the marijuana was shown to them.

The distributor and his roommate called police when the thieves ran away with three large bags of marijuana.

The suspects were arrested a short time later.

Harvell and Acala, who live in Alameda, have been booked for investigation of robbery, burglary, illegal weapon possession, conspiracy and other drug violations.

THE SACRAMENTO BEE sacbee.com

2 dead, 1 wounded in Calif. pot farm shootings

The Associated Press

Published Monday, Oct. 31, 2011

PIXLEY, Calif. -- Two brothers are dead and a third man is hospitalized with a gunshot wound after an argument at a Central California medical marijuana farm.

There are no arrests.

Tulare County sheriff's investigators tell the Fresno Bee (<http://bit.ly/vLQctd>) that the three victims got into fight with the suspects on Saturday night over work at a medical marijuana site in rural Pixley, which is along California State Route 99 about 60 miles south of Fresno.

Investigators say 22-year-old Moises Padilla and 28-year-old Antonio Padilla were killed.

A third man, Damion Campos-Martinez, is hospitalized with a leg wound. His age isn't available.

THE SACRAMENTO BEE sacbee.com

The Dark Side of Legalizing Medical Marijuana: Full Disclosure Network® Video Report

Published Tuesday, Nov. 01, 2011

WASHINGTON,, Nov. 1, 2011 -- WASHINGTON,, Nov. 1, 2011 /PRNewswire-USNewswire/ -- Mexican drug cartels are taking over marijuana farming operations throughout California according to an online video news report released this week by the Full Disclosure Network. The video features former Los Angeles Sheriff's **Sgt. Richard Valdemar**, a 33 year veteran gang and Mexican Mafia specialist. Valdemar predicts that eventual legalization of marijuana will corrupt California worse than what happened in Chicago in the days of Al Capone and prohibition. Watch the video at this URL: <http://www.fulldisclosure.net/Blogs/107.php>

Sgt. Valdemar tells Full Disclosure that when prohibition ended in the United States, gangsters, including Al Capone branched out to more serious, organized crime operations that corrupted the entire city of Chicago. He compares Mexican drug cartel violence to the Al Capone era and notes how the cartels are withholding wages from illegal alien farm workers resulting in slave labor. The farmers who lease their land for what they believe to be medical marijuana operations often realize too late, they are doing business with the drug cartels. Once established, the cartels withhold rent payments to the land owners who cannot seek assistance from law enforcement for fear of violent reprisals.

The Full Disclosure Network is conducting a free online viewer survey that reflects public reaction to the developments unfolding since voters approved Medical Use of Marijuana in California.

Survey Questions: Go Here To Vote & See Results: <http://www.fulldisclosure.net/Blogs/107.php>

#1. Were you aware that the Mexican drug cartels strong-armed tactics have resulted in slave labor conditions on the industrial marijuana farms in California? Yes or No

#2. Do you think that the Mexican drug cartel industry presents a greater threat than Al Capone during the Prohibition Era? Yes or No

#3. Do you think marijuana should be legalized in California? Yes or No

RELATED VIDEO AND LINKS:

Drug Cartels Take Over Local Politics in Southern California Cities (**9 minutes**)

<http://www.fulldisclosure.net/Programs/478.php>

What is the Full Disclosure Network? <http://fulldisclosure.net/Documents/OnePagerForReleases7-19-10.pdf>

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