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CLERK U.S. DISTRICT COURT

CLERK, IDAHO

1 THOMAS E. MOSS  
2 UNITED STATES ATTORNEY  
3 MICHAEL J. FICA  
4 ASSISTANT UNITED STATES ATTORNEY  
5 DISTRICT OF IDAHO  
6 801 E. SHERMAN #192  
7 POCATELLO, IDAHO 83201  
8 TELEPHONE: (208) 478-4166

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

9 UNITED STATES OF AMERICA, )

10 Plaintiff, )

11 vs. )

12 TROY D. HALL and PETE A. )  
13 KARABOYAS, )

14 Defendants. )

Case No. CR-04-084-E-BLW

**SUPERSEDING INDICTMENT**

21 U.S.C. § 841(a)(1)  
21 U.S.C. § 841(b)(1)(A)  
21 U.S.C. § 841(c)(2)  
21 U.S.C. § 846  
18 U.S.C. § 2

15  
16 **The Grand Jury charges:**

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18 **COUNT ONE**  
19 **CONSPIRACY TO MANUFACTURE METHAMPHETAMINE**  
20 **(21 U.S.C. §§ 846, 841(a)(1))**

21 Beginning on or about May 1997, and continuing until and including February 11, 2003,  
22 within the District of Idaho, the defendants herein, **TROY D. HALL and PETE A. KARABOYAS,**  
23 did knowingly and intentionally combine, conspire, confederate and agree with each other and with  
24 other persons both known and unknown to the Grand Jury to manufacture, possess with the intent  
25 to distribute and distribute 500 grams or more, or more specifically 15 kilograms or more, of a  
26 mixture or substance containing a detectable amount of methamphetamine, a schedule II controlled  
27 substance, in violation of Title 21, United States Code, Sections, 846 and 841(a)(1).  
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### Means and Methods of the Conspiracy

Among the means and methods by which the conspirators conducted and participated in the criminal conspiracy are the following:

The conspirators obtained white phosphorus which they used, intended to be used, or sold for the use in the production of methamphetamine.

The conspirators obtained listed chemicals, such as, iodine, ephedrine, and pseudoephedrine, which they used or intended to be used in the production of methamphetamine.

The conspirators manufactured methamphetamine.

The conspirators directly took part in the transporting, storing and distributing of methamphetamine.

### Acts in Furtherance of the Conspiracy

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In furtherance of the criminal conspiracy and to effect the object thereof, in the District of Idaho and on or about the dates set forth below, the defendants and other associates and coconspirators, both known and unknown to the Grand Jury, committed and caused to be committed acts in furtherance of the conspiracy, including, but not limited to, the following:

1. Beginning in May of 1997, and continuing up and through February 11, 2003, **TROY D. HALL** stole or otherwise obtained white phosphorus from FMC, Pacific Recycling, and other commercial entities in the District of Idaho for purposes of manufacturing methamphetamine.
2. Beginning in May of 1997, and continuing up and through February 11, 2003, **TROY D. HALL** provided white phosphorus to various individuals in the District of Idaho, including **PETE A. KARABOYAS**, and others both known and unknown to the grand jury in exchange for methamphetamine and cash.
3. On or about December, 1998, within the District of Idaho **TROY D. HALL** distributed methamphetamine.
4. On or about May 24, 2002, in the District of Idaho, **TROY D. HALL**, did possess listed chemicals and items used in the manufacture of methamphetamine, including white phosphorus, muriatic acid, iodine, glassware and scales.

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COUNT TWO

**POSSESSION OF A LISTED CHEMICAL WITH KNOWLEDGE, OR  
REASON TO KNOW, OF ITS WRONGFUL INTENDED USE  
(21 U.S.C. § 841(c)(2), 18 U.S.C. § 2)**

Some time between May 1 and June 7, 1999, in the District of Idaho, defendant **TROY D. HALL**, knowingly and intentionally possessed in excess of one kilogram of white phosphorus, a listed chemical as defined in Title 21, United States Code, Section 802, and aided and abetted the same, knowing and having reasonable cause to believe that the listed chemical would be used to manufacture methamphetamine, a controlled substance, in a manner other than as authorized by Title 21, United States Code, Sections 801 through 971, and additionally, **TROY D. HALL** was an organizer or leader of this criminal activity, in violation of Title 21, United States Code, Section 841(c)(2) and Title 18, United States Code, Section 2.

COUNT THREE

**DRUG MANUFACTURING  
(21 U.S.C. §§ 841(a)(1) and (b)(1)(A), 18 U.S.C. § 2)**

Some time between May 1 and June 7, 1999, in the District of Idaho, defendant **TROY D. HALL**, did knowingly and intentionally manufacture, distribute, possess with intent to manufacture, and possess with intent to distribute, 500 grams or more, or more specifically in excess of 15 kilograms, of a mixture or substance containing a detectable amount of methamphetamine, a schedule II controlled substance, or aided and abetted the same, and additionally, **TROY D. HALL** was an organizer or leader of this criminal activity, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A), and Title 18, United States Code, Section 2.

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**COUNT FOUR**

**DRUG MANUFACTURING  
(21 U.S.C. §§ 841(a)(1) and (b)(1)(A), 18 U.S.C. § 2)**

Between April 1 and September 30, 2000, in the District of Idaho, defendants **TROY D. HALL and PETE A. KARABOYAS**, did knowingly and intentionally manufacture, distribute, possess with intent to manufacture, and possess with intent to distribute, 500 grams or more, or more specifically in excess of 15 kilograms, of mixture or substance containing a detectable amount of methamphetamine, a schedule II controlled substance, or aided and abetted the same, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A), and Title 18, United States Code, Section 2.

**COUNT FIVE**

**POSSESSION OF A LISTED CHEMICAL WITH KNOWLEDGE, OR  
REASON TO KNOW, OF ITS WRONGFUL INTENDED USE  
(21 U.S.C. § 841(c)(2), 18 U.S.C. § 2)**

On or before April 11, 2002, in the District of Idaho, defendant **TROY D. HALL**, knowingly and intentionally possessed phosphorus and 198 grams of iodine, listed chemicals as defined in Title 21, United States Code, Section 802, or aided and abetted the same, knowing and having reasonable cause to believe that the listed chemical would be used to manufacture methamphetamine, a schedule II controlled substance, in a manner other than as authorized by Title 21, United States Code, Sections 801 through 971, in violation of Title 21, United States Code, Section 841(c)(2) and Title 18, United States Code, Section 2.

**COUNT SIX**

**POSSESSION OF A LISTED CHEMICAL WITH KNOWLEDGE, OR  
REASON TO KNOW, OF ITS WRONGFUL INTENDED USE  
(21 U.S.C. § 841(c)(2), 18 U.S.C. § 2)**

On or about May 24, 2002, in the District of Idaho, defendant **TROY D. HALL**, knowingly and intentionally possessed 23 grams of phosphorus and 264 grams of iodine, listed chemicals as defined in Title 21, United States Code, Section 802, or aided and abetted the same, knowing and

1 having reasonable cause to believe that the listed chemical would be used to manufacture  
2 methamphetamine, a schedule II controlled substance, in a manner other than as authorized by Title  
3 21, United States Code, Sections 801 through 971, in violation of Title 21, United States Code,  
4 Section 841(c)(2) and Title 18, United States Code, Section 2.

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6 **COUNT SEVEN**

7 **POSSESSION OF A LISTED CHEMICAL WITH KNOWLEDGE, OR**  
8 **REASON TO KNOW, OF ITS WRONGFUL INTENDED USE**  
9 **(21 U.S.C. § 841(c)(2), 18 U.S.C. § 2)**

10 On or about February 11, 2003, in the District of Idaho, defendant **TROY D HALL**,  
11 knowingly and intentionally possessed 56 grams of phosphorus a listed chemicals as defined in Title  
12 21, United States Code, Section 802, or aided and abetted the same, knowing and having reasonable  
13 cause to believe that the listed chemical would be used to manufacture methamphetamine, a schedule  
14 II controlled substance, in a manner other than as authorized by Title 21, United States Code,  
15 Sections 801 through 971, in violation of Title 21, United States Code, Section 841(c)(2) and Title  
16 18, United States Code, Section 2.

17 **PART II - SENTENCING AGGRAVATORS**

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19 Between May, 1997, and February 11, 2003, in the District of Idaho, the defendants, **TROY**  
20 **D. HALL and PETE A. KARABOYAS**, in the commission of the offenses alleged in this  
21 Indictment, were organizers or leaders of this criminal activity which involved five or more  
22 participants, for which the defendants' offense level will be enhanced pursuant to §3B1.1(a) of the  
23 United States Sentencing Guidelines.  
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1 DATED this 24<sup>th</sup> day of August, 2004.

2 A TRUE BILL:

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5 FOREPERSON

6 THOMAS E. MOSS  
7 United States Attorney  
8 By

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10 Michael J. Fica  
11 Assistant United States Attorney  
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# CRIMINAL COVERSHEET

DEFENDANT'S NAME: Troy D. Hall

Juvenile: No

DEFENDANT'S STREET ADDRESS:

Service Type: Non-Secret/Notice

DEFENSE ATTORNEY: Leo Griffard  
 Address: P.O. Box 2006  
 Boise, Idaho 83701  
 Telephone No.: 208-331-0610

Interpreter: No  
 If yes, language:

INVESTIGATING AGENCY & AGENT: John Kempf, ISP

CASE INFORMATION: (List any miscellaneous, magistrate, CVB or other related defendants/case numbers.)

## CRIMINAL CHARGING INFORMATION

Complaint	___ Indictment	Information	___ <input checked="" type="checkbox"/> Superseding Indictment
<input checked="" type="checkbox"/> Felony	___ Class A Misdemeanor	_ Class B or C Misdemeanor (Petty Offense)	
County of Offense: Bannock		Estimated Trial Time: 5 days	

TITLE/SECTION	COUNTS	BRIEF DESCRIPTION	PENALTIES <i>(Include Supervised Release and Special Assessments)</i>
21 U.S.C. §§ 846 and 841(a)(1) & (b)(1)(A)	1	<i>Conspiracy to Manufacture Methamphetamine</i>	<i>10 years to life imprisonment and/or \$4,000,000 fine, at least 7 years supervised release, and \$100 special assessment</i>
21 U.S.C. § 841(c)(2) and 18 U.S.C. § 2	2, 5, 6, 7	<i>Possession of a Listed Chemical with Knowledge, or Reason to Know, of its Wrongful Intended Use</i>	<i>Maximum 20 years incarceration and/or \$1,000,000 fine, at least 5 years supervised release, and \$100 special assessment on each count</i>
21 U.S.C. § 841(a)(1)	3, 4	<i>Drug Manufacturing</i>	<i>10 years to life imprisonment and/or \$4,000,000 fine, at least 7 years supervised release, and \$100 special assessment</i>

# CRIMINAL COVERSHEET

DEFENDANT'S NAME: Pete A. Karaboyas

Juvenile: No

DEFENDANT'S STREET ADDRESS:

Service:   
 Type: Non-Secret / Notice

DEFENSE ATTORNEY: Kevin Peterson  
 Address: P.O. Box 1387  
 Blackfoot, Idaho 83221  
 Telephone No.: 208-785-1603

Interpreter: No  
 If yes, language:

INVESTIGATING AGENCY & AGENT: John Kempf, ISP

**CASE INFORMATION:** (List any miscellaneous, magistrate, CVB or other related defendants/case numbers.)

## CRIMINAL CHARGING INFORMATION

Complaint	<input type="checkbox"/> Indictment	Information	<input checked="" type="checkbox"/> Superseding Indictment
<input checked="" type="checkbox"/> Felony	<input type="checkbox"/> Class A Misdemeanor	<input type="checkbox"/> Class B or C Misdemeanor (Petty Offense)	
County of Offense: Bannock		Estimated Trial Time: 5 days	

TITLE/SECTION	COUNTS	BRIEF DESCRIPTION	PENALTIES <small>(Include Supervised Release and Special Assessments)</small>
21 U.S.C. §§ 846 and 841(a)(1) & (b)(1)(A)	1	Conspiracy to Manufacture Methamphetamine	10 years to life imprisonment and/or \$4,000,000 fine, at least 7 years supervised release, and \$100 special assessment <span style="float: right;">MF</span>
21 U.S.C. § 841(a)(1)	4	Drug Manufacturing	10 years to life imprisonment and/or \$4,000,000 fine, at least 7 years supervised release, and \$100 special assessment <span style="float: right;">MF</span>

Date: August 24, 2004

AUSA: Michael J. Fica  
 Telephone No.: (208) 478-4166