

County Court, Adams County, Colorado Justice Center 1100 Judicial Center Drive Brighton, CO 80601 <hr/> THE PEOPLE OF THE STATE OF COLORADO,  v. Alonzo MONTOYA, Nicole CASIAS, Defendants.	<b>▲ COURT USE ONLY ▲</b>
Brian S. Mason Seventeenth Judicial District District Attorney, # 38008 1000 Judicial Center Drive Brighton, CO 80601 Phone Number: 303-659-7720	GJ Case No.: 22CV100  Ctrm: 305
<b>SEVENTEENTH JUDICIAL DISTRICT GRAND JURY INDICTMENT</b>	

Of the 2022-2023 term of the Seventeenth Judicial District Grand Jury in the year 2022; 2022-2023 Seventeenth Judicial District Grand Jurors, chosen, selected, and sworn in the name and by the authority of the People of the State of Colorado, upon their oaths, present the following:

COUNT 1:        COCCA – Pattern of Racketeering –  
37284            Participation in an Enterprise; § 18-17-104(3), C.R.S., (F2)

Alonzo MONTOYA  
Nicole CASIAS

COUNT 2:        COCCA – Conspiracy; § 18-17-104(4), C.R.S., (F2)  
37284C

Alonzo MONTOYA  
Nicole CASIAS

COUNT 3:        Murder in the First Degree – Victim Under 12 – Position of Trust  
01018            § 18-3-102(1)(f), C.R.S., (F1)

Alonzo MONTOYA  
Nicole CASIAS

COUNT 4: Child Abuse Resulting in Death;  
17019 § 18-6-401(1)(a),(7)(a)(I), C.R.S. (F2)

Alonzo MONTOYA  
Nicole CASIAS

COUNT 5: Child Abuse – Manufacture Controlled Substance;  
1701P § 18-6-401(1)(a),(7)(a)(I), C.R.S. (F3)

Alonzo MONTOYA  
Nicole CASIAS

COUNT 6: Child Abuse – Manufacture Controlled Substance;  
1701P § 18-6-401(1)(a),(7)(a)(I), C.R.S. (F3)

Alonzo MONTOYA  
Nicole CASIAS

COUNT 7: Child Abuse – Knowingly/Recklessly – No Injury;  
17017 § 18-6-401(1)(a),(7)(b)(I), C.R.S. (M2)

Alonzo MONTOYA  
Nicole CASIAS

**CHARGES: (7)**

**COUNT 1**  
**VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL ACT —  
PATTERN OF RACKETEERING—  
PARTICIPATION IN AN ENTERPRISE, (F2)**

Between and including the dates of January 1, 2021, and March 31, 2022, in the county of Adams, in the state of Colorado, **Alonzo MONTOYA, Nicole CASIAS**, and others both known and unknown, while employed by or associated with an enterprise, unlawfully, feloniously, and knowingly conducted or participated, directly or indirectly, in the enterprise through a pattern of racketeering activity; in violation of § 18-17-104(3) and § 18-17-105, C.R.S.

**COUNT 2**  
**VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL ACT —  
CONSPIRACY, (F2)**

Between and including the dates of January 1, 2021, and March 31, 2022, in the county of Adams, in the state of Colorado, **Alonzo MONTOYA, Nicole CASIAS**, and others both known and unknown, unlawfully, knowingly, and feloniously conspired

to conduct and participate, directly or indirectly, in an enterprise, through a pattern of racketeering activity; in violation of § 18-17-104(4) and § 18-17-105, C.R.S.

The offenses alleged in Counts One and Two were committed in the following manner:

### **The Enterprise**

The criminal enterprise alleged in Counts One and Two was primarily a group of individuals, associated in fact, although not a legal entity. The enterprise included, but was not limited to, the following associated in fact individuals and/or legal entities: **Alonzo MONTOYA, Nicole CASIAS**, and others both known and unknown to the Grand Jury.

The criminal enterprise had a primary objective and a common purpose to sell and distribute illegal controlled substances, including Fentanyl, Cocaine, and Methamphetamine, throughout the Denver Metro area, and to generate financial proceeds from the illegal sale of these controlled substances. The drug trafficking activity focused on the distribution of counterfeit pharmaceuticals containing Fentanyl, including counterfeit Oxycodone pills appearing as blue-colored pharmaceutical tablets stamped with an “M-30” label.

In support of the criminal enterprise, MONTOYA directed much of the drug trafficking activity and arranged with co-conspirators to both purchase and receive the illegal controlled substances and to sell and distribute the illegal controlled substances. MONTOYA utilized cellular telephone devices to send SMS text messages and electronic messages via social media applications, such as Facebook Messenger. MONTOYA also utilized financial internet applications, such as CashApp and Venmo, to collect monetary proceeds from the criminal enterprise’s sale and distribution of illegal controlled substances.

CASIAS participated in the drug trafficking and money laundering activity of the criminal enterprise in several ways: by preparing and/or packaging illegal controlled substances for distribution; by distributing illegal controlled substances for distribution; and by collecting monetary proceeds from the sale and distribution of the illegal controlled substances. As part of the preparation and/or packaging of illegal controlled substances, CASIAS regularly utilized baking soda to process powder cocaine into crack cocaine. In further support of the criminal enterprise’s drug trafficking and money laundering activity, CASIAS sold Electronic Benefit Transfer cards (commonly referred to as Food Stamps) in exchange for cash proceeds.

Both MONTOYA and CASIAS utilized their residence at 345 South 7<sup>th</sup> Avenue, Unit B, in Brighton, Adams County, Colorado, [hereafter referred to as the MONTOYA-CASIAS residence] as their primary base of operations to conduct and facilitate the criminal enterprise. MONTOYA and CASIAS stored, maintained, and prepared the illegal controlled substances within their residence, including within the master

bedroom, and frequently distributed the illegal controlled substances from the residence.

A distinguishing feature of the criminal enterprise was the extremely dangerous and reckless manner in which MONTOYA and CASIAS conducted the drug trafficking activity. First, MONTOYA and CASIAS stored and maintained the illegal controlled substances, including substances containing Fentanyl, in close proximity to their minor children. Furthermore, in order to sustain and support the criminal enterprise, MONTOYA and CASIAS conducted the drug trafficking and money laundering activity of the criminal enterprise on a daily, on-going basis, at all hours of the day and night, out of the MONTOYA-CASIAS residence. MONTOYA and CASIAS frequently manufactured or distributed illegal controlled substances in the presence of their minor children, often exposing the minor children to the controlled substances. As part of the drug trafficking activity, MONTOYA and CASIAS allowed the associates and customers of the criminal enterprise to use and/or ingest dangerous controlled substances, including Fentanyl, while inside the MONTOYA-CASIAS residence, often in the presence of the minor children.

### **Pattern of Racketeering Activity**

**Alonzo MONTOYA, Nicole CASIAS**, and others both known and unknown to the Grand Jury. directly and in concert engaged in, attempted to engage in, conspired to engage in, or solicited another to engage in at least two predicate acts, including any lesser offenses, related to the conduct of the enterprise, with at least one of which took place in the state of Colorado after July 1, 1981, and the last of the acts of racketeering activity occurring within ten years after a prior act of racketeering activity and include:

- Conspiracy to Distribute a Controlled Substance (Colorado Revised Statutes)
- Distribution of a Controlled Substance (Colorado Revised Statutes)
- Possession with Intent to Distribute a Controlled Substance  
(Colorado Revised Statutes)
- Conspiracy to Commit Money Laundering (Colorado Revised Statutes)
- Money Laundering (Colorado Revised Statutes)
- Unlawful Use of a Telecommunications Facility (United States Code)
- Conspiracy to Commit Theft (Colorado Revised Statutes)
- Forgery – Check or Commercial Instrument (Colorado Revised Statutes)
- Cybercrime (Colorado Revised Statutes)
- Wire Fraud (United States Code)

Pursuant to C.R.S. § 18-17-103(5)(a), “**Racketeering Activity**” includes any conduct defined as “racketeering activity” under 18 U.S.C. 1961 (1)(A), (1)(B), (1)(C), and (1)(D), including the act of Unlawful Use of a Telecommunications Facility, in violation of 21 U.S.C. § 843.

## **Racketeering Activity**

The acts of racketeering activity that the above named persons committed, attempted to commit, conspired to commit, or solicited, coerced, or intimidated another person to commit, consist of the following predicate acts, including any lesser included offenses:

### **Predicate Act 1**

#### **Conspiracy to Distribute a Controlled Substance—Schedule II— Between 14 and 225 Grams, (DF2) [8105K]**

On or about June 28, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Joshua Brewster unlawfully, feloniously, and knowingly conspired with each other and others, both known and unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Fentanyl. Further, the violation involved a material compound, mixture, or preparation that weighed more than fourteen (14) grams but not more than two hundred twenty-five (225) grams; in violation of § 18-18-405(1),(2)(b)(I)(A), C.R.S.

### **Predicate Act 2**

#### **Conspiracy to Commit Money Laundering, (F4) [12213C]**

On or about June 28, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Joshua Brewster, with the intent to promote or facilitate the commission of the crime of money laundering, agreed with each other and others, both known and unknown to the Grand Jury, that one or more of them will engage in conduct which constitutes the crime of money laundering or an attempt to commit the crime of money laundering, and they agreed to aid that person or persons in the planning or commission of the crime or the attempt to commit the crime of money laundering, in violation of § 18-2-201(1); and § 18-5-309(1)(b)(I),(II), C.R.S.

### **Predicate Act 3**

#### **Distribution of a Controlled Substance— Schedule II— Between 14 and 225 Grams, (DF2) [8102C]**

On or about June 28, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** unlawfully, feloniously, and knowingly sold or distributed a Schedule II controlled substance, Fentanyl. Further, the violation involved a material compound, mixture, or preparation that weighed more than fourteen (14) grams but not more than two hundred twenty-five (225) grams; in violation of § 18-18-405(1),(2)(b)(I)(A), C.R.S.

**Predicate Act 4**  
**Money Laundering, (F3) [12213]**

On or about June 28, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** unlawfully and feloniously transported, transmitted, or transferred a monetary instrument or moneys, with the intent to promote the commission of a criminal offense, or with the knowledge or belief that the monetary instrument or moneys represent the proceeds of a criminal offense and that the transportation, transmission, or transfer is designed, in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of a criminal offense; in violation of §18-5-309(1)(b)(I),(II) C.R.S.

**Predicate Act 5**  
**Unlawful Use of a Communication Facility**

On or about June 28, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** did knowingly or intentionally use a communications facility, namely, a cellular telephone, to facilitate the commission of a felony, namely, Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

*Predicate Acts 1-5 were committed in the following manner:*

On or about June 28, 2021, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, Alonzo MONTOYA made an agreement with Joshua Brewster to sell and distribute to Brewster a quantity of 300 pills containing Fentanyl, a schedule II controlled substance, in exchange for \$1500 USC. On that same date, in furtherance of this agreement, MONTOYA met with Brewster at a car wash located in Brighton, Adams County, CO. At that location, MONTOYA distributed to Brewster at least 300 Fentanyl pills (weighing at least 30 grams). In exchange, MONTOYA received from Brewster approximately \$1500 USC.

**Predicate Act 6**  
**Conspiracy to Distribute a Controlled Substance—Schedule II, (DF3)**  
**[8105J]**

On or about July 1, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Joshua Brewster unlawfully, feloniously, and knowingly conspired with each other and others, both known and unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 7**  
**Conspiracy to Commit Money Laundering, (F4) [12213C]**

On or about July 1, 2021, in the county of Adams, state of Colorado, **Alonzo MONTROYA** and Joshua Brewster, with the intent to promote or facilitate the commission of the crime of money laundering, agreed with each other and others, both known and unknown to the Grand Jury, that one or more of them will engage in conduct which constitutes the crime of money laundering or an attempt to commit the crime of money laundering, and they agreed to aid that person or persons in the planning or commission of the crime or the attempt to commit the crime of money laundering, in violation of § 18-2-201(1); and § 18-5-309(1)(b)(I),(II), C.R.S.

**Predicate Act 8**  
**Distribution of a Controlled Substance—**  
**Schedule II, (DF3) [8102B]**

On or about July 1, 2021, in the county of Adams, state of Colorado, **Alonzo MONTROYA** unlawfully, feloniously, and knowingly sold or distributed a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 9**  
**Money Laundering, (F3) [12213]**

On or about July 1, 2021, in the county of Adams, state of Colorado, **Alonzo MONTROYA** unlawfully and feloniously transported, transmitted, or transferred a monetary instrument or moneys, with the intent to promote the commission of a criminal offense, or with the knowledge or belief that the monetary instrument or moneys represent the proceeds of a criminal offense and that the transportation, transmission, or transfer is designed, in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of a criminal offense; in violation of §18-5-309(1)(b)(I),(II) C.R.S.

**Predicate Act 10**  
**Unlawful Use of a Communication Facility**

On or about July 1, 2021, in the county of Adams, state of Colorado, **Alonzo MONTROYA** did knowingly or intentionally use a communications facility, namely, a cellular telephone, to facilitate the commission of a felony, namely, Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

*Predicate Acts 6-10 were committed in the following manner:*

On or about July 1, 2021, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, Alonzo

MONTOYA made an agreement with Joshua Brewster to sell and distribute to Brewster a quantity of 100 pills containing Fentanyl, a schedule II controlled substance, in exchange for \$500 USC. On that same date, in furtherance of this agreement, MONTOYA met with Brewster at 322 S. 7<sup>th</sup> Avenue, Brighton, Adams County, CO. At that location, MONTOYA distributed to Brewster at least 100 Fentanyl pills (weighing approximately 10 grams). In exchange, MONTOYA received from Brewster approximately \$500 USC.

**Predicate Act 11**

**Conspiracy to Distribute a Controlled Substance—Schedule II, (DF3)  
[8105J]**

On or about July 9, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Joshua Brewster unlawfully, feloniously, and knowingly conspired with each other and others, both known and unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 12**

**Conspiracy to Commit Money Laundering, (F4) [12213C]**

On or about July 9, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Joshua Brewster, with the intent to promote or facilitate the commission of the crime of money laundering, agreed with each other and others, both known and unknown to the Grand Jury, that one or more of them will engage in conduct which constitutes the crime of money laundering or an attempt to commit the crime of money laundering, and they agreed to aid that person or persons in the planning or commission of the crime or the attempt to commit the crime of money laundering, in violation of § 18-2-201(1); and § 18-5-309(1)(b)(I),(II), C.R.S.

**Predicate Act 13**

**Distribution of a Controlled Substance—  
Schedule II, (DF3) [8102B]**

On or about July 9, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** unlawfully, feloniously, and knowingly sold or distributed a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 14**  
**Money Laundering, (F3) [12213]**

On or about July 9, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** unlawfully and feloniously transported, transmitted, or transferred a monetary instrument or moneys, with the intent to promote the commission of a criminal offense, or with the knowledge or belief that the monetary instrument or moneys represent the proceeds of a criminal offense and that the transportation, transmission, or transfer is designed, in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of a criminal offense; in violation of §18-5-309(1)(b)(I),(II) C.R.S.

**Predicate Act 15**  
**Unlawful Use of a Communication Facility**

On or about July 9, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** did knowingly or intentionally use a communications facility, namely, a cellular telephone, to facilitate the commission of a felony, namely, Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

*Predicate Acts 11-15 were committed in the following manner:*

On or about July 9, 2021, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, Alonzo MONTOYA made an agreement with Joshua Brewster to sell and distribute to Brewster a quantity of 100 pills containing Fentanyl, a schedule II controlled substance, in exchange for \$500 USC. On that same date, in furtherance of this agreement, MONTOYA met with Brewster at Tailfeathers Bar, 11010 E 120th Ave, Henderson, Adams County, CO. At that location, MONTOYA distributed to Brewster at least 100 Fentanyl pills (weighing approximately 10 grams). In exchange, MONTOYA received from Brewster approximately \$500 USC.

**Predicate Act 16**  
**Conspiracy to Distribute a Controlled Substance—Schedule II—  
Between 14 and 225 Grams, (DF2) [8105K]**

On or about July 12, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Joshua Brewster unlawfully, feloniously, and knowingly conspired with each other and others, both known and unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Fentanyl. Further, the violation involved a material compound, mixture, or preparation that weighed more than fourteen (14) grams but not more than two hundred twenty-five (225) grams; in violation of § 18-18-405(1),(2)(b)(I)(A), C.R.S.

**Predicate Act 17**  
**Conspiracy to Commit Money Laundering, (F4) [12213C]**

On or about July 12, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Joshua Brewster, with the intent to promote or facilitate the commission of the crime of money laundering, agreed with each other and others, both known and unknown to the Grand Jury, that one or more of them will engage in conduct which constitutes the crime of money laundering or an attempt to commit the crime of money laundering, and they agreed to aid that person or persons in the planning or commission of the crime or the attempt to commit the crime of money laundering, in violation of § 18-2-201(1); and § 18-5-309(1)(b)(I),(II), C.R.S.

**Predicate Act 18**  
**Distribution of a Controlled Substance—  
Schedule II— Between 14 and 225 Grams, (DF2) [8102C]**

On or about July 12, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** unlawfully, feloniously, and knowingly sold or distributed a Schedule II controlled substance, Fentanyl. Further, the violation involved a material compound, mixture, or preparation that weighed more than fourteen (14) grams but not more than two hundred twenty-five (225) grams; in violation of § 18-18-405(1),(2)(b)(I)(A), C.R.S.

**Predicate Act 19**  
**Money Laundering, (F3) [12213]**

On or about July 12, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** unlawfully and feloniously transported, transmitted, or transferred a monetary instrument or moneys, with the intent to promote the commission of a criminal offense, or with the knowledge or belief that the monetary instrument or moneys represent the proceeds of a criminal offense and that the transportation, transmission, or transfer is designed, in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of a criminal offense; in violation of §18-5-309(1)(b)(I),(II) C.R.S.

**Predicate Act 20**  
**Unlawful Use of a Communication Facility**

On or about July 12, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** did knowingly or intentionally use a communications facility, namely, a cellular telephone, to facilitate the commission of a felony, namely, Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

*Predicate Acts 16-20 were committed in the following manner:*

On or about July 12, 2021, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, Alonzo MONTOYA made an agreement with Joshua Brewster to sell and distribute to Brewster a quantity of 300 pills containing Fentanyl, a schedule II controlled substance, in exchange for \$1500 USC. On that same date, in furtherance of this agreement, MONTOYA met with Brewster on two occasions. In the first meeting, MONTOYA met with Brewster at Brewster's residence in Henderson, CO. At that first meeting, MONTOYA delivered approximately 100 Fentanyl pills (weighing approximately 10 grams) and Brewster paid MONTOYA \$500 USC. In the second meeting, MONTOYA met with Brewster at Carmichael Park, Brighton, CO. At the second meeting, MONTOYA delivered approximately 200 Fentanyl pills (weighing approximately 20 grams) and Brewster paid MONTOYA \$1000 USC.

**Predicate Act 21**  
**Conspiracy to Distribute a Controlled Substance—Schedule II—  
Between 14 and 225 Grams, (DF2) [8105K]**

Between and including September 9, 2021, and September 10, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA, Nicole CASIAS**, and Joshua Brewster unlawfully, feloniously, and knowingly conspired with each other and others, both known and unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Fentanyl. Further, the violation involved a material compound, mixture, or preparation that weighed more than fourteen (14) grams but not more than two hundred twenty-five (225) grams; in violation of § 18-18-405(1),(2)(b)(I)(A), C.R.S.

**Predicate Act 22**  
**Conspiracy to Commit Money Laundering, (F4) [12213C]**

Between and including September 9, 2021, and September 10, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA, Nicole CASIAS**, and Joshua Brewster, with the intent to promote or facilitate the commission of the crime of money laundering, agreed with each other and others, both known and unknown to the Grand Jury, that one or more of them will engage in conduct which constitutes the crime of money laundering or an attempt to commit the crime of money laundering, and they agreed to aid that person or persons in the planning or commission of the crime or the attempt to commit the crime of money laundering, in violation of § 18-2-201(1); and § 18-5-309(1)(b)(I),(II), C.R.S.

**Predicate Act 23**  
**Distribution of a Controlled Substance—  
Schedule II— Between 14 and 225 Grams, (DF2) [8102C]**

Between and including September 9, 2021, and September 10, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA and Nicole CASIAS** unlawfully, feloniously, and knowingly sold or distributed a Schedule II controlled substance, Fentanyl. Further, the violation involved a material compound, mixture, or preparation that weighed more than fourteen (14) grams but not more than two hundred twenty-five (225) grams; in violation of § 18-18-405(1),(2)(b)(I)(A), C.R.S.

**Predicate Act 24**  
**Money Laundering, (F3) [12213]**

Between and including September 9, 2021, and September 10, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and **Nicole CASIAS** unlawfully and feloniously transported, transmitted, or transferred a monetary instrument or moneys, with the intent to promote the commission of a criminal offense, or with the knowledge or belief that the monetary instrument or moneys represent the proceeds of a criminal offense and that the transportation, transmission, or transfer is designed, in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of a criminal offense; in violation of §18-5-309(1)(b)(I),(II) C.R.S.

**Predicate Act 25**  
**Unlawful Use of a Communication Facility**

Between and including September 9, 2021, and September 10, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and **Nicole CASIAS** did knowingly or intentionally use a communications facility, namely, a cellular telephone, to facilitate the commission of a felony, namely, Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

*Predicate Acts 21-25 were committed in the following manner:*

Between and including September 9, 2021, and September 10, 2021, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, Alonzo MONTOYA, Nicole CASIAS, and Joshua Brewster made an agreement with each other for MONTOYA to sell and for CASIAS to distribute to Brewster a quantity of 200 pills containing Fentanyl, a schedule II controlled substance, in exchange for \$1000 USC. On September 10, 2021, in furtherance of this agreement, CASIAS met with Brewster at the MONTOYA-CASIAS residence at 345 S. 7<sup>th</sup> Avenue, Brighton, Adams County, CO. At the MONTOYA-CASIAS residence, CASIAS delivered approximately 200 Fentanyl pills (weighing approximately 20 grams) and Brewster paid MONTOYA \$1000 USC.

**Predicate Act 26**  
**Conspiracy to Distribute a Controlled Substance—Schedule II, (DF3)**  
**[8105J]**

Between and including Sept. 6, 2021, and September 10, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Derek Geer unlawfully, feloniously, and knowingly conspired with each other and others, both known and unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 27**  
**Conspiracy to Commit Money Laundering, (F4) [12213C]**

Between and including Sept. 6, 2021, and September 10, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Derek Geer, with the intent to promote or facilitate the commission of the crime of money laundering, agreed with each other and others, both known and unknown to the Grand Jury, that one or more of them will engage in conduct which constitutes the crime of money laundering or an attempt to commit the crime of money laundering, and they agreed to aid that person or persons in the planning or commission of the crime or the attempt to commit the crime of money laundering, in violation of § 18-2-201(1); and § 18-5-309(1)(b)(I),(II), C.R.S.

**Predicate Act 28**  
**Unlawful Use of a Communication Facility**

Between and including Sept. 6, 2021, and September 10, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** did knowingly or intentionally use a communications facility, namely, a cellular telephone, to facilitate the commission of a felony, namely, Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

*Predicate Acts 26-28 were committed in the following manner:*

Between and including Sept. 6, 2021, and September 10, 2021, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, **Alonzo MONTOYA** made an agreement with Derek Geer to purchase from Geer a quantity of pills containing Fentanyl, a schedule II controlled substance, in exchange for an agreed-upon price in United States currency. On September 10, in furtherance of this agreement, Geer traveled to **MONTOYA**'s residence at 345 S. 7<sup>th</sup> Avenue, Brighton, Adams County, CO, to further discuss the exchange of Fentanyl pills and to deliver to **MONTOYA** a quantity of Fentanyl pills.

**Predicate Act 29**  
**Conspiracy to Distribute a Controlled Substance—Schedule II—  
Between 14 and 225 Grams, (DF2) [8105K]**

On or about September 24, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Derek Geer unlawfully, feloniously, and knowingly conspired with each other and others, both known and unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Fentanyl. Further, the violation involved a material compound, mixture, or preparation that weighed more than fourteen (14) grams but not more than two hundred twenty-five (225) grams; in violation of § 18-18-405(1),(2)(b)(I)(A), C.R.S.

**Predicate Act 30**  
**Conspiracy to Commit Money Laundering, (F4) [12213C]**

On or about September 24, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Derek Geer, with the intent to promote or facilitate the commission of the crime of money laundering, agreed with each other and others, both known and unknown to the Grand Jury, that one or more of them will engage in conduct which constitutes the crime of money laundering or an attempt to commit the crime of money laundering, and they agreed to aid that person or persons in the planning or commission of the crime or the attempt to commit the crime of money laundering, in violation of § 18-2-201(1); and § 18-5-309(1)(b)(I),(II), C.R.S.

**Predicate Act 31**  
**Possession with Intent to a Controlled Substance—  
Schedule II— Between 14 and 225 Grams, (DF2) [81073]**

On or about September 24, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** unlawfully, feloniously, and knowingly possessed with intent to distribute a Schedule II controlled substance, Fentanyl. Further, the violation involved a material compound, mixture, or preparation that weighed more than fourteen (14) grams but not more than two hundred twenty-five (225) grams; in violation of § 18-18-405(1),(2)(b)(I)(A), C.R.S.

**Predicate Act 32**  
**Money Laundering, (F3) [12213]**

On or about September 24, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** unlawfully and feloniously transported, transmitted, or transferred a monetary instrument or moneys, with the intent to promote the commission of a criminal offense, or with the knowledge or belief that the monetary instrument or moneys represent the proceeds of a criminal offense and that the transportation, transmission, or transfer is designed, in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of a criminal offense; in violation of §18-5-309(1)(b)(I),(II) C.R.S.

**Predicate Act 33**  
**Unlawful Use of a Communication Facility**

On or about September 24, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** did knowingly or intentionally use a communications facility, namely, a cellular telephone, to facilitate the commission of a felony, namely, Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

*Predicate Acts 29-33 were committed in the following manner:*

On or about September 24, 2021, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, Alonzo MONTOYA made an agreement with Derek Geer to purchase from Geer a quantity of 1000 pills containing Fentanyl, a schedule II controlled substance, in exchange for \$3500 USC. On that same date, in furtherance of this agreement, MONTOYA met with Geer at the MONTOYA-CASIAS residence, 345 S. 7<sup>th</sup> Avenue, Brighton, CO. At that meeting, MONTOYA received from Geer approximately 1000 Fentanyl pills (weighing approximately 100 grams) and MONTOYA paid Geer approximately \$3500 USC.

**Predicate Act 34**  
**Conspiracy to Distribute a Controlled Substance—Schedule II—  
Between 14 and 225 Grams, (DF2) [8105K]**

Between and including Sept. 29, 2021, and October 3, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Derek Geer unlawfully, feloniously, and knowingly conspired with each other and others, both known and unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Fentanyl. Further, the violation involved a material compound, mixture, or preparation that weighed more than fourteen (14) grams but not more than two hundred twenty-five (225) grams; in violation of § 18-18-405(1),(2)(b)(I)(A), C.R.S.

**Predicate Act 35**  
**Conspiracy to Commit Money Laundering, (F4) [12213C]**

Between and including Sept. 29, 2021, and October 3, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Derek Geer, with the intent to promote or facilitate the commission of the crime of money laundering, agreed with each other and others, both known and unknown to the Grand Jury, that one or more of them will engage in conduct which constitutes the crime of money laundering or an attempt to commit the crime of money laundering, and they agreed to aid that person or persons in the planning or commission of the crime or the attempt to commit the crime of money laundering, in violation of § 18-2-201(1); and § 18-5-309(1)(b)(I),(II), C.R.S.

**Predicate Act 36**  
**Possession with Intent to a Controlled Substance—  
Schedule II— Between 14 and 225 Grams, (DF2) [81073]**

Between and including Sept. 29, 2021, and October 3, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** unlawfully, feloniously, and knowingly possessed with intent to distribute a Schedule II controlled substance, Fentanyl. Further, the violation involved a material compound, mixture, or preparation that weighed more than fourteen (14) grams but not more than two hundred twenty-five (225) grams; in violation of § 18-18-405(1),(2)(b)(I)(A), C.R.S.

**Predicate Act 37**  
**Money Laundering, (F3) [12213]**

Between and including Sept. 29, 2021, and October 3, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** unlawfully and feloniously transported, transmitted, or transferred a monetary instrument or moneys, with the intent to promote the commission of a criminal offense, or with the knowledge or belief that the monetary instrument or moneys represent the proceeds of a criminal offense and that the transportation, transmission, or transfer is designed, in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of a criminal offense; in violation of §18-5-309(1)(b)(I),(II) C.R.S.

**Predicate Act 38**  
**Unlawful Use of a Communication Facility**

Between and including Sept. 29, 2021, and October 3, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** did knowingly or intentionally use a communications facility, namely, a cellular telephone, to facilitate the commission of a felony, namely, Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

*Predicate Acts 34-38 were committed in the following manner:*

Between and including Sept. 29, 2021, and October 3, 2021, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, Alonzo MONTOYA made an agreement with Derek Geer to purchase from Geer a quantity of 400 pills containing Fentanyl, a schedule II controlled substance, in exchange for an amount of US currency. On that same date, in furtherance of this agreement, MONTOYA met with Geer at the MONTOYA-CASIAS residence, 345 S. 7<sup>th</sup> Avenue, Brighton, CO. At that meeting, MONTOYA received from approximately 400 Fentanyl pills (weighing approximately 40 grams) and MONTOYA paid Geer an amount of US currency.

**Predicate Act 39**  
**Conspiracy to Distribute a Controlled Substance—Schedule II, (DF3)**  
**[8105J]**

On or about December 21, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Jeffrey Traxler unlawfully, feloniously, and knowingly conspired with each other and others, both known and unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 40**  
**Conspiracy to Commit Money Laundering, (F4) [12213C]**

On or about December 21, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Jeffrey Traxler, with the intent to promote or facilitate the commission of the crime of money laundering, agreed with each other and others, both known and unknown to the Grand Jury, that one or more of them will engage in conduct which constitutes the crime of money laundering or an attempt to commit the crime of money laundering, and they agreed to aid that person or persons in the planning or commission of the crime or the attempt to commit the crime of money laundering, in violation of § 18-2-201(1); and § 18-5-309(1)(b)(I),(II), C.R.S.

**Predicate Act 41**  
**Distribution of a Controlled Substance—**  
**Schedule II, (DF3) [8102B]**

On or about December 21, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** unlawfully, feloniously, and knowingly sold or distributed a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 42**  
**Money Laundering, (F3) [12213]**

On or about December 21, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Jeffrey Traxler unlawfully and feloniously transported, transmitted, or transferred a monetary instrument or moneys, with the intent to promote the commission of a criminal offense, or with the knowledge or belief that the monetary instrument or moneys represent the proceeds of a criminal offense and that the transportation, transmission, or transfer is designed, in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of a criminal offense; in violation of §18-5-309(1)(b)(I),(II) C.R.S.

**Predicate Act 43**  
**Unlawful Use of a Communication Facility**

On or about December 21, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** did knowingly or intentionally use a communications facility, namely, a cellular telephone, to facilitate the commission of a felony, namely, Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

*Predicate Acts 39-43 were committed in the following manner:*

On or about December 21, 2021, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, Alonzo MONTOYA and Jeffrey Traxler made an agreement with each other for MONTOYA to sell and distribute to Traxler a quantity of 100 pills containing Fentanyl, a schedule II controlled substance, in exchange for \$350 USC. On that same date, in furtherance of this agreement, MONTOYA met with Traxler at the MONTOYA-CASIAS residence, 345 S. 7<sup>th</sup> Avenue, Brighton, Adams County, CO. At that location, MONTOYA distributed to Traxler at least 100 Fentanyl pills (weighing approximately 10 grams). In exchange, MONTOYA received from Traxler at least \$230 USC.

**Predicate Act 44**  
**Conspiracy to Distribute a Controlled Substance—Schedule II, (DF3)**  
**[8105J]**

On or about December 24, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Jeffrey Traxler unlawfully, feloniously, and knowingly conspired with each other and others, both known and unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 45**  
**Conspiracy to Commit Money Laundering, (F4) [12213C]**

On or about December 24, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Jeffrey Traxler, with the intent to promote or facilitate the commission of the crime of money laundering, agreed with each other and others, both known and unknown to the Grand Jury, that one or more of them will engage in conduct which constitutes the crime of money laundering or an attempt to commit the crime of money laundering, and they agreed to aid that person or persons in the planning or commission of the crime or the attempt to commit the crime of money laundering, in violation of § 18-2-201(1); and § 18-5-309(1)(b)(I),(II), C.R.S.

**Predicate Act 46**  
**Distribution of a Controlled Substance—**  
**Schedule II, (DF3) [8102B]**

On or about December 24, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** unlawfully, feloniously, and knowingly sold or distributed a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 47**  
**Money Laundering, (F3) [12213]**

On or about December 24, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Jeffrey Traxler unlawfully and feloniously transported, transmitted, or transferred a monetary instrument or moneys, with the intent to promote the commission of a criminal offense, or with the knowledge or belief that the monetary instrument or moneys represent the proceeds of a criminal offense and that the transportation, transmission, or transfer is designed, in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of a criminal offense; in violation of §18-5-309(1)(b)(I),(II) C.R.S.

**Predicate Act 48**  
**Unlawful Use of a Communication Facility**

On or about December 24, 2021, in the county of Adams, state of Colorado, **Alonzo MONTOYA** did knowingly or intentionally use a communications facility, namely, a cellular telephone, to facilitate the commission of a felony, namely, Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

*Predicate Acts 44-48 were committed in the following manner:*

On or about December 24, 2021, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, Alonzo MONTOYA and Jeffrey Traxler made an agreement with each other for MONTOYA to sell and distribute to Traxler a quantity of pills containing Fentanyl, a schedule II controlled substance, in exchange for \$300 USC. On that same date, in furtherance of this agreement, MONTOYA met with Traxler at the MONTOYA-CASIAS residence, 345 S. 7<sup>th</sup> Avenue, Brighton, Adams County, CO. At that location, MONTOYA distributed to Traxler a quantity of Fentanyl pills. In exchange, MONTOYA received from Traxler at least \$300 USC.

**Predicate Act 49**  
**Conspiracy to Distribute a Controlled Substance—Schedule II, (DF3)**  
**[8105J]**

On or about January 1, 2022, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Jeffrey Traxler unlawfully, feloniously, and knowingly conspired with each other and others, both known and unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 50**  
**Conspiracy to Commit Money Laundering, (F4) [12213C]**

On or about January 1, 2022, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Jeffrey Traxler, with the intent to promote or facilitate the commission of the crime of money laundering, agreed with each other and others, both known and unknown to the Grand Jury, that one or more of them will engage in conduct which constitutes the crime of money laundering or an attempt to commit the crime of money laundering, and they agreed to aid that person or persons in the planning or commission of the crime or the attempt to commit the crime of money laundering, in violation of § 18-2-201(1); and § 18-5-309(1)(b)(I),(II), C.R.S.

**Predicate Act 51**  
**Distribution of a Controlled Substance—**  
**Schedule II, (DF3) [8102B]**

On or about January 1, 2022, in the county of Adams, state of Colorado, **Alonzo MONTOYA** unlawfully, feloniously, and knowingly sold or distributed a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 52**  
**Money Laundering, (F3) [12213]**

On or about January 1, 2022, in the county of Adams, state of Colorado, **Alonzo MONTOYA** and Jeffrey Traxler unlawfully and feloniously transported, transmitted, or transferred a monetary instrument or moneys, with the intent to promote the commission of a criminal offense, or with the knowledge or belief that the monetary instrument or moneys represent the proceeds of a criminal offense and that the transportation, transmission, or transfer is designed, in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of a criminal offense; in violation of §18-5-309(1)(b)(I),(II) C.R.S.

**Predicate Act 53**  
**Unlawful Use of a Communication Facility**

On or about January 1, 2022, in the county of Adams, state of Colorado, **Alonzo MONTOYA** did knowingly or intentionally use a communications facility, namely, a cellular telephone, to facilitate the commission of a felony, namely, Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

*Predicate Acts 49-53 were committed in the following manner:*

On or about January 1, 2022, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, Alonzo MONTOYA and Jeffrey Traxler made an agreement with each other for MONTOYA to sell and distribute to Traxler a quantity of approximately 100 pills containing Fentanyl, a schedule II controlled substance, in exchange for \$350 USC. On that same date, in furtherance of this agreement, MONTOYA met with Traxler at the MONTOYA-CASIAS residence, 345 S. 7<sup>th</sup> Avenue, Brighton, Adams County, CO. At that location, MONTOYA distributed to Traxler a quantity of 100 Fentanyl pills (weighing approximately 10 grams). In exchange, MONTOYA received from Traxler at least \$350 USC.

**Predicate Act 54**  
**Conspiracy to Distribute a Controlled Substance—Schedule II, (DF3)**  
**[8105J]**

On or about December 15, 2021, in the county of Adams, state of Colorado, **Nicole CASIAS** unlawfully, feloniously, and knowingly conspired with First Name Unknown, Last Name Unknown a/k/a “Mike (Kelly)” [303-803-0081] and others, both known and unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 55**  
**Unlawful Use of a Communication Facility**

On or about December 15, 2021, in the county of Adams, state of Colorado, **Nicole CASIAS** did knowingly or intentionally use a communications facility, namely, a cellular telephone, to facilitate the commission of a felony, namely, Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

*Predicate Acts 54-55 were committed in the following manner:*

On or about December 15, 2021, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, Nicole CASIAS made an agreement with First Name Unknown, Last Name Unknown a/k/a “Mike (Kelly)” [who was utilizing telephone number 303-803-0081] for CASIAS to sell and/or distribute to “Mike (Kelly)” a quantity of pills containing Fentanyl, a schedule II controlled substance, in exchange for an amount of United States currency. On that same date, in furtherance of this agreement, “Mike (Kelly)” arrived to meet CASIAS at the MONTOYA-CASIAS residence, 345 S. 7th Avenue, Brighton, Adams County, CO, in order to receive from CASIAS a quantity of Fentanyl pills.

**Predicate Act 56**

**Conspiracy to Distribute a Controlled Substance—Schedule II, (DF3)  
[8105J]**

On or about December 17, 2021, in the county of Adams, state of Colorado, **Nicole CASIAS** unlawfully, feloniously, and knowingly conspired with First Name Unknown, Last Name Unknown a/k/a “Kelli” [720-207-1895] and others, both known and unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Cocaine; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 57**

**Unlawful Use of a Communication Facility**

On or about December 17, 2021, in the county of Adams, state of Colorado, **Nicole CASIAS** did knowingly or intentionally use a communications facility, namely, a cellular telephone, to facilitate the commission of a felony, namely, Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

*Predicate Acts 56-57 were committed in the following manner:*

On or about December 17, 2021, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, Nicole CASIAS made an agreement with First Name Unknown, Last Name Unknown a/k/a “Kelli” [who was utilizing telephone number 720-207-1895] for CASIAS to sell and/or distribute to “Kelli” a quantity of cocaine, a schedule II controlled substance, in exchange for an amount of United States currency. On that same date, in furtherance of this agreement, “Kelli” arrived to meet CASIAS at the MONTOYA-CASIAS residence, 345 S. 7th Avenue, Brighton, Adams County, CO, in order to receive from CASIAS a quantity of cocaine.

**Predicate Act 58**  
**Conspiracy to Distribute a Controlled Substance—Schedule II, (DF3)**  
**[8105J]**

Between and including December 18, 2021, and December 26, 2021, in the county of Adams, state of Colorado, **Nicole CASIAS** unlawfully, feloniously, and knowingly conspired with First Name Unknown, Last Name Unknown a/k/a “Tim” [720-308-0395] and others, both known and unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 59**  
**Unlawful Use of a Communication Facility**

Between and including December 18, 2021, and December 26, 2021, in the county of Adams, state of Colorado, **Nicole CASIAS** did knowingly or intentionally use a communications facility, namely, a cellular telephone, to facilitate the commission of a felony, namely, Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

*Predicate Acts 58-59 were committed in the following manner:*

Between and including December 18, 2021, and December 26, 2021, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, Nicole CASIAS made an agreement with First Name Unknown, Last Name Unknown a/k/a “Tim” [who was utilizing telephone number 720-308-0395] for CASIAS to sell and/or distribute to “Tim” a quantity of Fentanyl, a schedule II controlled substance, in exchange for an amount of United States currency. On or about December 26, 2021, in furtherance of this agreement, “Tim” arrived to meet CASIAS at the MONTROYA-CASIAS residence, 345 S. 7th Avenue, Brighton, Adams County, CO, in order to receive from CASIAS a quantity of Fentanyl.

**Predicate Act 60**  
**Conspiracy to Distribute a Controlled Substance—Schedule II, (DF3)**  
**[8105J]**

Between and including December 18, 2021, and December 26, 2021, in the county of Adams, state of Colorado, **Nicole CASIAS** unlawfully, feloniously, and knowingly conspired with First Name Unknown, Last Name Unknown a/k/a “Cody” [720-666-9911] and others, both known and unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 61**  
**Unlawful Use of a Communication Facility**

Between and including December 18, 2021, and December 26, 2021, in the county of Adams, state of Colorado, **Nicole CASIAS** did knowingly or intentionally use a communications facility, namely, a cellular telephone, to facilitate the commission of a felony, namely, Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

*Predicate Acts 60-61 were committed in the following manner:*

Between and including December 18, 2021, and December 26, 2021, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, Nicole CASIAS made an agreement with First Name Unknown, Last Name Unknown a/k/a “Cody” [who was utilizing telephone number 720-666-9911] for CASIAS to sell and/or distribute to “Cody” a quantity of Fentanyl, a schedule II controlled substance, in exchange for an amount of United States currency. On or about December 26, 2021, in furtherance of this agreement, “Cody” arrived to meet CASIAS at the MONTOYA-CASIAS residence, 345 S. 7th Avenue, Brighton, Adams County, CO, in order to receive from CASIAS a quantity of Fentanyl.

**Predicate Act 62**  
**Conspiracy to Commit Theft – Between \$300 and \$750, (M3) [08A11C]**

Between and including the dates of January 1, 2021, and March 31, 2022, in the county of Adams, in the state of Colorado, **Alonzo MONTOYA** and **Nicole CASIAS**, with the intent to promote or facilitate the commission of the crime of theft, including fraudulent acts in violation of section 26-2-305, C.R.S., unlawfully agreed with each other and a person or persons known and unknown to the Grand Jury that one or more of them would engage in conduct which constituted that crime or an attempt to commit that crime, or agreed to aid the other person or persons in the planning or commission or attempted commission of that crime, and an overt act in pursuance of

the conspiracy was committed by one or more of the conspirators, and the value of the thing or things of value was three hundred dollars or more but less than seven hundred fifty dollars; in violation of sections 18-4-401(1),(2)(d) and 18-2-201, C.R.S.

*Predicate Act 62 was committed in the following manner:*

Between and including the dates of January 1, 2021, and March 31, 2022, Alonzo MONTOYA and Nicole CASIAS agreed with each other to provide and/or sell food stamp coupons or electronic benefits transfer cards to third parties who are not entitled to such benefits with the intent to defeat the purposes of the food stamp program. In furtherance of this agreement, on or about November 27, 2021, CASIAS arranged to meet with First Name Unknown, Last Name Unknown a/k/a “Lily” [who was utilizing telephone number 720-666-9912] to sell \$300 worth of food stamps coupons in exchange for \$150 USC.

#### **Predicate Act 63**

#### **Forgery – Check or Commercial Instrument, (F5) [1001C]**

On or about April 6, 2021, in the county of Adams, in the state of Colorado, Alonzo MONTOYA with the intent to defraud Capital Plus Financial, LLC, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, promissory note, or other instrument which document did or may have evidenced, created, transferred, terminated, or otherwise affected a legal right, interest, obligation, or status, namely: a Business Purpose Statement and/or Loan Agreement; in violation of section 18-5-102(1)(c), C.R.S.

#### **Predicate Act 64**

#### **Cybercrime - Scheme/Defraud - \$5,000 - \$20,000, (F5) [15038]**

On or about April 6, 2021, in the county of Adams, in the state of Colorado, Alonzo MONTOYA unlawfully, feloniously, and knowingly accessed a computer, computer network, or computer system, or any part thereof, for the purpose of devising or executing a scheme or artifice to defraud, and the loss, damage, value of services, or thing of value taken, or cost of restoration or repair was five thousand dollars or more but less than twenty thousand dollars; in violation of section 18-5.5-102(1)(b),(3)(a)(VI) C.R.S.

#### **Predicate Act 65**

#### **Wire Fraud**

On or about April 6, 2021, in the county of Adams, in the state of Colorado, Alonzo MONTOYA voluntarily and intentionally devised or participated in a scheme to defraud another out of money, with the intent to defraud, and it was reasonably

foreseeable that interstate wire communications would be used and interstate wire communications were in fact used; in violation of 18 U.S.C. § 1343.

*Predicate Acts 63-65 were committed in the following manner:*

On or about April 6, 2021, Alonzo MONTROYA, fraudulently completed a loan application through the United States Small Business Administration as part of the Payroll Protection Program [PPP] from Capital Plus Financial, LLC, for the amount of \$15,625 to be used for business or commercial purposes only. MONTROYA utilized an electronic program via the internet to prepare the loan application. Once completed, MONTROYA submitted the loan application electronically, via the internet.

**Predicate Act 66**

**Conspiracy to Distribute a Controlled Substance—Schedule II, (DF3)  
[8105J]**

On or about January 1, 2022, in the county of Adams, state of Colorado, **Alonzo MONTROYA** unlawfully, feloniously, and knowingly conspired with another person First Name Unknown, Last Name Unknown [720-829-2425] who is unknown to the Grand Jury, to sell or distribute a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

**Predicate Act 67**

**Possession with Intent to Distribute a Controlled Substance—  
Schedule II, (DF3) [8102B]**

On or about January 1, 2022, in the county of Adams, state of Colorado, **Alonzo MONTROYA** unlawfully, feloniously, and knowingly possessed with the intent to distribute a Schedule II controlled substance, Fentanyl; in violation of § 18-18-405(1),(2)(c)(I), C.R.S.

*Predicate Acts 66-67 were committed in the following manner:*

On or about January 1, 2022, in a series of telephone conversations and electronic communications utilizing cellular telephones and in-person discussions, Alonzo MONTROYA and an unidentified third party referred to as First Name Unknown, Last Name Unknown [720-829-2425] made an agreement with each other for MONTROYA to purchase a quantity of approximately counterfeit pharmaceutical pills containing Fentanyl, a schedule II controlled substance, in exchange for an amount of United States currency. On that same date, in furtherance of this agreement, MONTROYA met with First Name Unknown, Last Name Unknown [720-829-2425] in Adams County, CO. At that location, MONTROYA received a quantity of Fentanyl pills.

**COUNT 3**  
**MURDER IN THE FIRST DEGREE – VICTIM UNDER 12 –  
POSITION OF TRUST (F1) [01018]**

Between and including January 1, 2021, and January 2, 2022, in the county of Adams, state of Colorado, Alonzo MONTOYA and Nicole CASIAS unlawfully, feloniously, and knowingly caused the death of Aviyana Montoya, a child who had not yet attained twelve years of age, and the defendant was in a position of trust with respect to the victim; in violation of section 18-3-102(1)(f), C.R.S.

**COUNT 4**  
**CHILD ABUSE RESULTING IN DEATH (F2) [17019]**

Between and including January 1, 2022, and January 2, 2022, in the county of Adams, state of Colorado, Alonzo MONTOYA and Nicole CASIAS unlawfully, feloniously, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: Aviyana Montoya, that resulted in the death of the child; in violation of section 18-6-401(1)(a),(7)(a)(I), C.R.S.

**COUNT 5**  
**CHILD ABUSE – MANUFACTURE CONTROLLED SUBSTANCE (F3)  
[1701P]**

Between and including January 1, 2021, and January 2, 2022, in the county of Adams, state of Colorado, Alonzo MONTOYA and Nicole CASIAS unlawfully, feloniously, and knowingly engaged in the manufacture or attempted manufacture of a controlled substance, in the presence of Aviyana Montoya, a child, or on premises where the child was found or resided, or in a vehicle containing the child; in violation of section 18-6-401(1)(c)(I) C.R.S.

**COUNT 6**  
**CHILD ABUSE – MANUFACTURE CONTROLLED SUBSTANCE (F3)**  
**[1701P]**

Between and including January 1, 2021, and January 2, 2022, in the county of Adams, state of Colorado, Alonzo MONTOYA and Nicole CASIAS unlawfully, feloniously, and knowingly engaged in the manufacture or attempted manufacture of a controlled substance, in the presence of Aliyah Baca, a child, or on premises where the child was found or resided, or in a vehicle containing the child; in violation of section 18-6-401(1)(c)(I) C.R.S.

**COUNT 7**  
**CHILD ABUSE – KNOWINGLY/RECKLESSLY – NO INJURY (M2) [17017]**

Between and including January 1, 2021, and January 2, 2022, in the county of Adams, state of Colorado, Alonzo MONTOYA and Nicole CASIAS unlawfully, knowingly, or recklessly, permitted Aliyah Baca, a child, to be unreasonably placed in a situation which posed a threat of injury to the life or health of the child; in violation of section 18-6-401(1),(7)(b)(I), C.R.S.

The offenses alleged in Counts Three through Seven were committed in the following manner:

Beginning on or about January 1, 2021, Alonzo MONTOYA and Nicole CASIAS established, operated, and maintained a criminal enterprise, namely a drug trafficking business as their primary and/or sole source of income. A distinguishing feature of the criminal enterprise was the extremely dangerous manner in which MONTOYA and CASIAS conducted the drug trafficking activity. MONTOYA and CASIAS operated this criminal enterprise with full knowledge and awareness of the hazardous toxicity of the illegal controlled substances that they were distributing and of the extreme risk of serious harm and/or death to others, including their minor children, from exposure to these hazardous controlled substances.

First, MONTOYA and CASIAS both prepared and stored these dangerous controlled substances, including substances containing Fentanyl, within the MONTOYA-CASIAS residence at 345 S. 7th Avenue, Brighton, CO, in close proximity to their minor children, Aviyana Montoya and Aliyah Baca, often exposing the minor children to these hazardous substances.

In addition, in order to sustain and support the criminal enterprise, MONTOYA and CASIAS conducted the drug trafficking activities of the criminal enterprise on a daily, on-going basis, at all hours of the day and night, out of the MONTOYA-CASIAS residence, in close proximity to their minor children, Aviyana Montoya and Aliyah Baca, often exposing the minor children to these hazardous substances.

As part of the drug trafficking activity, MONTOYA and CASIAS allowed the associates and customers of the criminal enterprise to use and/or ingest dangerous controlled substances, including Fentanyl, while inside the MONTOYA-CASIAS residence, often in the presence of or in close proximity to their minor children and often directly exposing their minor children to the extreme hazards that the use of these dangerous controlled substances presented.

Furthermore, and also as part of the drug trafficking activity, MONTOYA and CASIAS themselves frequently used and/or ingested dangerous controlled substances, including Fentanyl, while inside their residence, often in the presence of or in close proximity to their minor children and when they were the sole care providers for their minor children.

Beginning on January 1, 2022, MONTOYA and CASIAS obtained a large quantity of illegal controlled substances, including Fentanyl, which they brought to their residence. During the remainder of the day and throughout the evening of January 1, 2022, and into the early morning hours of January 2, 2022, from their residence and while one-year-old Aiyana Montoya was present in the residence, MONTOYA and CASIAS distributed these controlled substances to various customers and associates, allowed these customers to use controlled substances within the MONTOYA-CASIAS residence and within proximity to Aiyana Montoya, and ingested illegal controlled substances themselves, while they were the sole caregivers for Aiyana Montoya. This drug trafficking activity and their related use of illegal controlled substances placed Aiyana Montoya in an extremely dangerous situation, exposed her to highly toxic and hazardous controlled substances containing Fentanyl, posing a threat to her life and health, and which ultimately resulted in her death.

In the early morning hours of January 2, 2022, law enforcement officers responded to the MONTOYA-CASIAS residence (345 S. 7<sup>th</sup> Avenue, Brighton, CO), and found that Aiyana Montoya was recently deceased. Ultimately, a coroner determined that Aiyana Montoya's cause of death was acute fentanyl toxicity and the manner of death was ingestion.

Respectfully submitted:

BRIAN S. MASON, #38008  
DISTRICT ATTORNEY



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ANNEMARIE L. BRAUN  
Senior Deputy District Attorney  
Seventeenth Judicial District

The 2022-2023 Seventeenth Judicial District Grand Jury presents the within  
Indictment, and the same is hereby ORDERED FILED this 9<sup>th</sup> day of  
September, 2022.

Dated this 9<sup>th</sup> day of September, 2022.



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DONALD S. QUICK  
Chief Judge, Seventeenth Judicial District  
Brighton, Adams County, Colorado