

**FILED**

AUG 25 2022

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION

U.S. DISTRICT COURT  
EVANSVILLE, INDIANA

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
v. )  
)  
ARCINIAL MONTREAL WATT, )  
)  
)  
Defendant. )  
)

Cause No. 3:22-cr 29-RLY-MPB

-01

**INDICTMENT**

The Grand Jury charges that:

COUNT 1

21 U.S.C. § 846

Conspiracy to Distribute Fentanyl Resulting in Death

Beginning in or about August 1, 2021, and continuing up to and through October 27, 2021, in the Southern District of Indiana, and elsewhere, ARCINIAL MONTREAL WATT, the defendant herein, did knowingly conspire together and with J.B., a person known to the Grand Jury, as well as together and with diverse other persons, known and unknown to the Grand Jury, to possess with the intent to distribute and to distribute 400 grams or more of a mixture or substance containing a detectable amount of fentanyl, N-phenyl-N- [ 1-(2-phenylethyl)-4-piperidinyl ] propenamide, a Schedule II Narcotic Controlled Substance, and the use of that controlled substance resulted in death to K.O., a person known to the Grand Jury.

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

COUNT 2  
21 U.S.C. § 841(a)(1)  
Possession with the Intent to Distribute Fentanyl

On or about October 27, 2021, in the Southern District of Indiana, ARCINIAL MONTREAL WATT, the defendant herein, did knowingly possess with the intent to distribute 400 grams or more of a mixture or substance containing a detectable amount of fentanyl, N-phenyl-N- [ 1- (2-phenylethyl) -4-piperidinyl ] propenamide, a Schedule II Narcotic Controlled Substance.

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

**FORFEITURE**

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

2. Pursuant to Title 21, United States Code, Section 853, if convicted of the offense set forth in Count 1 and/or Count 2 of this Indictment, the named defendant shall forfeit to the United States any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the offense, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense.

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

- a. one SCCY CPX-2, 9mm pistol, bearing serial number C080018;
- b. all ammunition recovered with the firearm;

- c. \$25,565.00 in United States currency;
- d. \$4,172.00 in United States currency; and
- e. \$1,000.00 in United States currency.

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


- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property, which cannot be divided without difficulty.

A TRUE BILL:



FOREPERSON

ZACHARY A. MYERS  
United States Attorney

By:   
Kristian R. Mukoski  
Assistant United States Attorney