



# Department of Justice

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Western District of Kentucky

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**TODD COUNTY DRUG DEALER SENTENCED TO 2 ½ YEARS IMPRISONMENT  
FOR POSSESSION OF METHAMPHETAMINE AND A 40 CALIBER PISTOL**

*– Joint investigation by ATF and Todd County Sheriff's Office*

BOWLING GREEN, KY - Nicholas Shumate, age 29, of 2781 East Jefferson Davis Highway, Elkton, Kentucky, in Todd County, was sentenced to 2 years and 6 months imprisonment in United States District Court, Bowling Green, Kentucky, for possession of methamphetamine with intent to distribute, and for possession of a firearm by a convicted felon, U.S. Attorney David L. Huber of the Western District of Kentucky, and Paul Vido, Special Agent in Charge of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Louisville Field Division, jointly announced today. Judge Joseph H. McKinley Jr., United States District Court, also sentenced Shumate to 3 years supervised release following incarceration. **There is no parole in the federal judicial system.**

In his guilty plea, entered on February 6, 2008, Shumate admitted that on April 27, 2007, in Todd County, Kentucky, he knowingly and intentionally possessed 16 grams of methamphetamine with intent to distribute and that on that same day he knowingly possessed a firearm, a Smith and Wesson .40 caliber semi-automatic pistol, after having been previously convicted in Todd Circuit Court of possession of a controlled substance in the first degree, a crime punishable by imprisonment for a term exceeding one year. Police also found an active meth lab, with the pistol, in the garage he owned.

## Facts

On April 27, 2007, an Elkton, Kentucky, policeman was traveling past a garage at 2781 East Jefferson Davis Highway when he smelled a strong odor that he associated, based upon his experience, with active methamphetamine production. Since he was outside the city limits, he called the Todd County Sheriff's Office, requested assistance, and a deputy responded. The deputy observed the Shumate coming out of the garage. The deputy also smelled a strong odor of ammonia. As the deputy was stepping out of his vehicle, Shumate came out of the garage and conducted a pat-down search for weapons and felt a hard object in the defendant's pocket which he believed was a knife. When he reached into the defendant's pocket to retrieve the object, he found it to be an inhaler instead of a weapon, but noticed that his hand was covered with a white powder which had come from inside the defendant's pocket. He asked the defendant what it was, and the defendant replied that it was methamphetamine, whereupon the deputy arrested the defendant and called for other officers to secure the scene while he attempted to obtain a search warrant. During the execution of the state search warrant, officers found an active meth lab and approximately 14 grams of finished product. A loaded firearm, a .40 caliber Smith and Wesson semiautomatic pistol was found in close proximity to the meth. Shumate owned the garage where the meth and the firearm were found.

This is a **Project Backfire** prosecution. **Project Backfire** is a partnership of state, local and federal law enforcement which targets violent or repeat offenders for prosecution to the fullest extent of state and federal law.

The case was prosecuted by Assistant United States Attorney Larry Fentress. The Bowling Green Field Office of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) conducted the investigation in partnership with Todd County Sheriff's Office, as part of ATF's

mandated mission to reduce violent crime and other threats to public safety.

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