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NEWS RELEASE

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DRUG TRAFFICKING AND FIREARMS CHARGES FILED MONDAY AGAINST WICHITA MAN INVESTIGATORS SAY DROVE THE CAR THAT STRUCK ATF AGENT

WICHITA, Kan. – A complaint filed Monday before a U.S. District judge charges a Wichita man with drug trafficking and firearms violations following an incident Friday in which an agent of the Bureau of Alcohol, Tobacco, Firearms and Explosives was struck by a car.

Almario D. Smith, 26, Wichita, was charged with one count of possession with intent to distribute crack cocaine, one count of possessing a firearm while being an unlawful user of a controlled substance, and one misdemeanor count of possession of marijuana.

According to the complaint, Smith was driving a white Lincoln Town car with a dealer tag that ATF agents observed traveling at a high rate of speed about 3 p.m. Friday, Jan. 13, 2006, near Ninth and Madison in Wichita. The agents made a report to 911 dispatchers and began to follow the vehicle. A Kansas Highway Patrol trooper intercepted the Lincoln as it exited U.S. 54 at Meridian. He activated his lights at McCormick and

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Meridian as the suspects pulled into a Valero gas station on the northwest corner of the intersection. The Lincoln stopped and the Highway Patrol trooper parked behind it.

When the suspects began to exit the vehicle, the trooper ordered them back into the car. Two ATF agents got out of their car and approached the Lincoln from the front. One of the agents was standing in front of the Lincoln, and was struck by the Lincoln as it fled from the car stop. As the Lincoln began to flee and was coming at the agent, the agent fired several shots from his firearm at the driver of the Lincoln. The Lincoln was struck by the shots fired by the agent as it fled from the traffic stop. The Lincoln pulled out into the street with the Highway Patrol vehicle in pursuit. During the chase, the suspects threw from the vehicle bags of a substance that tests later determined was crack cocaine. The Lincoln stopped in the middle of the 800 block of south Sedgwick and three occupants were taken into custody.

In the course of the investigation, officers learned that the Lincoln was owned by Davis More auto dealership in Wichita and Smith had taken it out for a test drive earlier in the afternoon. Police searched a 1998 Chrysler Concord that the suspects had left at the dealership, finding a bottle of liquor and several bundles of money. Investigators also developed evidence that Smith was a frequent user of a controlled substance when he possessed a Mossberg 12-gauge shotgun. Investigators seized the shotgun while serving a search warrant at Smith's business, Puf's Peep This, 2425 W. McCormick.

If convicted, Smith faces a maximum penalty of 20 years in federal prison on the possession charge; 10 years on the firearms charge and up to 1 year on the marijuana charge. The two other occupants of the vehicle have not been charged.

The Bureau of Alcohol, Tobacco, Firearms and Explosives, the Kansas Highway Patrol, the Wichita Police Department and the U.S. Marshal's Service worked on the case.

Assistant U.S. Attorney Lanny Welch is prosecuting.