

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

v.

DILLON KANTLEHNER

Cr. No. ~~16~~ 16 31S

In violation of 21 U.S.C. §§ 841(a)(1), 846,  
and 858; 18 U.S.C. § 2

INDICTMENT

The Grand Jury charges that:

INTRODUCTION

At all times relevant to this Indictment unless herein stated:

1. On July 31, 2015, Dillon KANTLEHNER was the sole lessee of the residence located at 214 Hemlock Road, South Kingstown, RI.
2. 214 Hemlock Road is a single story, wood frame ranch style home with wood shingles over plywood, with 768 feet of living space divided between a bedroom, bathroom, and a connected living/dining room and kitchen. (Hemlock Road residence). The residence is located on approximately .24 acres of land.
3. KANTLEHNER began to lease the Hemlock Road residence approximately two years prior to July 31, 2015.
4. The Hemlock Road residence is located in a suburban setting comprised of properties with similar style homes and similar size parcels of land.
5. The kitchen area is located at the south west side of the Hemlock Road residence. KANTLEHNER and B. C., a co-conspirator, used this kitchen area for a

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U.S. DISTRICT COURT  
DISTRICT OF RHODE ISLAND

butane hash oil ("BHO") manufacturing laboratory. On July 31, 2015 this area contained among other items, a BHO extractor, butane gas canisters, marihuana plant material also known as "trim," a vacuum pump, a fan and a cooktop hot plate.

6. KANTLEHNER lived at the Hemlock Road residence until July 31, 2015, when he was injured during an explosion and fire which caused injuries to B. C. and him, as well as severely damaging the structure. At approximately 5:59 AM on July 31, 2015, an explosion immediately followed by a flash fire occurred within the residence, caused by fugitive butane gas released during the manufacture of BHO within the residence. The fire rapidly spread and quickly engulfed the only two occupants of the residence, KANTLEHNER and B. C. Firefighters responding to 9-1-1 calls from neighbors found heavy structural damage to the residence and several fires, some of which had been extinguished prior to their arrival. Emergency responders located KANTLEHNER and B. C. on a neighbor's lawn, each suffering 2<sup>nd</sup> and 3<sup>rd</sup> degree burns. Both were transported to Rhode Island Hospital for medical treatment. KANTLEHNER was hospitalized until September, 2015. B. C. remained hospitalized until he passed away on October 26, 2015. His cause of death is attributed to complications of the thermal injuries he suffered on July 31, 2015.

#### BUTANE HASH OIL

7. Tetrahydrocannabinol ("THC") is a Schedule I controlled substance found in marihuana plants. BHO is made by extracting THC from marihuana through the use

of butane, a solvent. BHO contains a much higher concentration of THC than marihuana does.

8. BHO, a type of hashish oil, is typically a viscous, dark colored oil. It can also exist as a dry, hardened resin commonly referred to as "shatter."

9. To extract THC from marihuana, manufacturers drip butane through a column or tube containing marihuana plant material that is then collected in a vessel. As the butane drips through the plant material, it extracts the THC from the plant material.

10. The substance or oil that collects in a vessel at the bottom of the tube is typically heated to hasten the evaporation of the butane from the oil. A vacuum oven is often used to further evaporate the butane from the BHO.

11. Butane is highly flammable. At various stages during the BHO manufacturing process, butane escapes into the air. It is heavier than air and tends to collect at ground level. When butane reaches a certain concentration in the air, it can ignite when exposed to a heat source, such as a spark or electrical arc.

#### BHO MANUFACTURING AT THE HEMLOCK ROAD RESIDENCE

12. Near 5:59 AM on the morning of July 31, 2015, there were approximately 505.4 grams (gross weight) of BHO and 9884.2 grams (gross weight) of marihuana in the Hemlock Road residence.

13. KANTLEHNER acquired canisters of butane suitable for use in the

extraction of BHO at the Hemlock Road residence. Seventy-two butane canisters (including 59 expended canisters), 10.5 oz. in size, were located in or near the kitchen at the residence on July 31, 2015.

14. KANTLEHNER acquired equipment parts to use in the manufacture of BHO at the Hemlock Road residence.

15. KANTLEHNER and B. C. acquired marijuana plant material or "trim" to use in the manufacture of BHO.

16. On multiple occasions prior to July 31, 2015, KANTLEHNER and B. C. collaborated to manufacture BHO at the Hemlock Road residence.

17. During manufacture of BHO at the Hemlock Road residence, KANTLEHNER used a vacuum pump and fan in an attempt to evacuate butane gas from the residence.

18. Prior to, but within forty-eight (48) hours, of 5:59 AM, July 31, 2015, the manufacture of BHO began at the Hemlock Road residence. At 5:59 AM on July 31<sup>st</sup>, the manufacture had progressed to a point where hash oil had accumulated within a pot located on a hot plate in the kitchen. The pot was covered with a plastic lid. Attached to the lid was a hose leading to a vacuum pump. During the manufacturing process, fugitive butane gas was released in the Hemlock Road residence. The Hemlock Road residence ignited when fugitive butane gas was exposed to a heat source.

19. COUNT 1 - ENDANGERING HUMAN LIFE WHILE ILLEGALLY  
MANUFACTURING CONTROLLED SUBSTANCE

20. The allegations contained in paragraphs 1 through 17 of this Indictment are realleged in this Count and are incorporated by reference as if fully set forth herein.

21. From a time unknown, up to and including July 31, 2015, in the District of Rhode Island, the defendant, DILLON KANTLEHNER, and another, while knowingly and intentionally manufacturing and attempting to manufacture a Schedule I controlled substance, to wit, tetrahydrocannabinols contained in hashish oil, in violation of 21 U.S.C. § 841, did create a substantial risk of harm to human life, during the manufacture of BHO using butane, a highly flammable gas, in violation of 21 U.S.C. § 858 and 18 U.S.C. § 2.

COUNT 2 - CONSPIRACY

22. The allegations contained in paragraphs 1 through 17 of this Indictment are realleged in this Count and are incorporated by reference as if fully set forth herein.

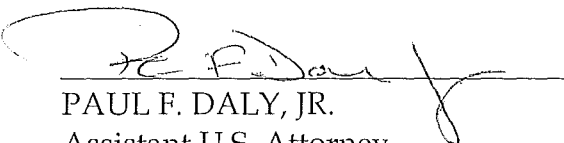
23. From a time unknown, up to and including July 31, 2015, in the District of Rhode Island, the defendant, DILLON KANTLEHNER and B. C., an individual known to the grand jury, did knowingly, intentionally and wilfully combine, conspire, confederate, and agree together, to knowingly and intentionally manufacture and attempt to manufacture a Schedule I controlled substance, to wit: tetrahydrocannabinols contained in one kilogram or more of hashish oil, in violation of 21 U.S.C. §§ 841(a)(1)

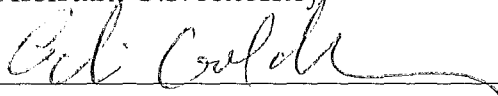
and 841(b)(1)(C), all in violation of 21 U.S.C. § 846.

A TRUE BILL:

**REDACTED**

PETER F. NERONHA  
United States Attorney

  
PAUL F. DALY, JR.  
Assistant U.S. Attorney

  
ADI GOLDSTEIN  
Assistant U.S. Attorney  
Chief, Criminal Division

Dated:

3/29/2016

16 315

LDA  
PER 18 U.S.C. 3170

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY:  INFORMATION  INDICTMENT  COMPLAINT

CASE NO. \_\_\_\_\_

Matter Sealed:  Juvenile  Other than Juvenile  
 Pre-Indictment Plea  Superseding  Defendant Added  
 Indictment  Charges/Counts Added  
 Information

USA vs.

Defendant: DILLON KANTELHNER

Name of District Court, and/or Judge/Magistrate Location (City)  
 UNITED STATES DISTRICT COURT RHODE ISLAND  
 DISTRICT OF RHODE ISLAND Divisional Office

Address:  
**REDACTED**

Name and Office of Person Furnishing Information on THIS FORM: PETER F. NERONHA  
 U.S. Atty  Other U.S. Agency  
 Phone No. (401) 709-5000  
 Name of Asst. U.S. Attorney (if assigned): Paul F. Daly, Jr.

Inte \_\_\_\_\_

Birth Date 1 \_\_\_\_\_ (le)

Social S \_\_\_\_\_

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)  
 DEA: Alan Sims, Special Agent

person is awaiting trial in another Federal or State Court (give name of court)  
 \_\_\_\_\_  
 this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District  
 \_\_\_\_\_  
 this is a reprosecution of charges previously dismissed which were dismissed on motion of:  
 U.S. Atty  Defense  
 this prosecution relates to a pending case involving this same defendant. (Notice of Related Case must still be filed with the Clerk.)  
 prior proceedings or appearance(s) before U.S. Magistrate Judge regarding this defendant were recorded under

SHOW DOCKET NO.  
 \_\_\_\_\_  
 MAG. JUDGE CASE NO.  
 \_\_\_\_\_

Issue:  Warrant  Summons

Location Status:  
 Arrest Date \_\_\_\_\_ or Date Transferred to Federal Custody \_\_\_\_\_

Currently in Federal Custody  
 Currently in State Custody  
 Writ Required  
 Currently on bond  
 Fugitive

Defense Counsel (if any): \_\_\_\_\_  
 FPD  CJA  RET'D  
 Appointed on Target Letter

Place of offense: RHODE ISLAND County

This report amends AO 257 previously submitted

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 2

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Felony/Misd.
	See Attachment		<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor

Trial: 1 week

**OFFENSE CHARGED – U.S.C. CITATION – STATUTORY MAXIMUM PENALTIES –  
ADDITIONAL INFORMATION OR COMMENTS**

Total # of Counts: 2

Count Breakdown	Title & Section/Offense Level (Petty = 1/ Misdemeanor = 3/ Felony = 4)	Description of Offense Charged	Felony/Misd.
1	21 U.S.C. § 858 and 18 U.S.C. § 2	Endangering human life while illegally manufacturing a Schedule I controlled substance.	<b>FELONY</b>
	Imprisonment: 10 years Supervised Release: 3 years	Fine: \$250,000 Special Assessment: \$100	
2	21 U.S.C. § 846	Conspiracy re: Endangering human life while illegally manufacturing a Schedule I controlled substance.	<b>FELONY</b>
	Imprisonment: 20 years Supervised Release: Life	Fine: \$1 million Special Assessment: \$100	