

DOJ: Holmen felon sentenced to 8 years for trafficking methamphetamine and illegal gun possession

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MADISON, WIS. – Timothy M. O’Shea, United States Attorney for the Western District of Wisconsin, announced that Benjamin T. Devine, 35, Holmen, Wisconsin was sentenced yesterday by U.S. District Judge William M. Conley to 8 years in federal prison for distributing 50 grams or more of methamphetamine, possessing with intent to distribute 50 grams or more of methamphetamine, and being a felon in possession of a firearm. This prison term will be followed by 4 years of supervised release. Devine pleaded guilty to this charge on March 8, 2022.

On August 5, 2021, La Crosse Police Department (LCPD) officers purchased 53.6 grams of methamphetamine from Devine through a confidential informant (CI) in Onalaska, Wisconsin.

On August 16, 2021, LCPD arranged the purchase of an ounce of methamphetamine and a .22 caliber handgun from Devine through a CI. When the CI met with Devine, he did not have the handgun with him, so Devine sold a larger quantity of methamphetamine instead, totaling 55.2 grams. Later that day, LCPD officers executed multiple search warrants connected to Devine. Devine’s vehicle was pulled over and searched. He had \$2,105 in cash in his pocket which included prerecorded buy money from the controlled buy earlier that day. In Devine’s vehicle, officers found a total of 397.7 grams of methamphetamine and \$5,152 in cash.

At Devine’s residence in Holmen, officers found a Phoenix Arms .22 caliber

handgun, a drug ledger, and a small quantity of methamphetamine. Officers found two boxes of ammunition at a storage locker maintained by Devine. Devine's DNA was identified on the Phoenix Arms handgun.

Devine was interviewed by LCPD officers later that day. He admitted to selling methamphetamine for years. He typically purchased pounds of methamphetamine. Devine knew he was a convicted felon and could not legally possess a firearm.

At the time of these events, Devine was on state supervision for methamphetamine trafficking and being a felon in possession of a firearm. His state supervision was revoked and he is currently serving a sentence of 1 year, 5 months, and 25 days in state prison. Judge Conley ordered this federal sentence to run concurrently with the remainder of Devine's state prison sentence.

At sentencing, Judge Conley highlighted that Devine returned to drug dealing soon after being released from state prison for a similar offense. Judge Conley also noted Devine's prior history of possessing weapons.

The charges against Devine were the result of an investigation conducted by the La Crosse, Onalaska, and Prairie du Chien Police Departments, La Crosse County Sheriff's Office, and Bureau of Alcohol, Tobacco, Firearms and Explosives. The La Crosse County District Attorney's Office also provided assistance in the case. Assistant U.S. Attorney Steven P. Anderson prosecuted this case.