

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA * **CRIMINAL DOCKET NO. 13-003**

v. * **SECTION: "I"**

MICHAEL PAGE *

* * *

FACTUAL BASIS

Should this matter proceed to trial, the Government will prove beyond a reasonable doubt, through credible testimony of special agents of the Federal Bureau of Investigation ("FBI"), state and local law enforcement agencies, and the production of reliable evidence, that the defendant, **MICHAEL PAGE (PAGE)**, is guilty beyond a reasonable doubt of count one of the Indictment. In that count, the defendant is charged with knowingly and intentionally combining, conspiring, confederating, and agreeing with one or more persons to distribute and possess with the intent to distribute twenty-eight (28) or more grams of a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II narcotic drug controlled substance, in violation of Title 21, United States Code, Section 846. The Government would establish the following examples of **PAGE's** involvement in the conspiracy through reliable and competent evidence:

During the conspiracy charged in the Indictment, **PAGE** obtained crack from his co-conspirator, John Edward **BAGENT** (**BAGENT**), for re-distribution. **PAGE** had knowledge that Robbie Ray, another co-conspirator, processed or "cooked" cocaine hydrochloride into cocaine base or "crack" for **BAGENT**. Courtney Ray, Robbie Ray's brother, also distributed crack that he purchased from **BAGENT**. During the investigation, **PAGE** used various telephone facilities to coordinate illegal drug activities with his co-conspirators, including **BAGENT**. **PAGE**'s drug related conversations with **BAGENT** were monitored and recorded through a court-authorized Title III wire intercept of a telephone facility used by **BAGENT**. The following paragraphs contain illustrative examples of **PAGE**'s participation in the conspiracy:

July 24, 2010, Call 195 – Bagent advises PAGE that he has the "full seven hard" [7 ounces of crack cocaine] for sale.

July 25, 2010, Call 266 – PAGE wants to purchase a quarter ounce of crack cocaine. PAGE asks if Bagent would take \$80 and front the rest. Bagent asks PAGE where he is and PAGE states that he is at "Pookie's" [Robbie Ray].

August 7, 2010, Call 1168 – PAGE wants the same deal as before: same amount of crack, same price [a quarter ounce for \$100].

August 13, 2010, Call 1536 – PAGE needs to give Bagent some money and get another quarter ounce of crack cocaine.

August 14, 2010, Call 1659 – PAGE wants to buy more crack cocaine from Bagent and has \$200 available. Bagent tells him, "first come, first served."

August 15, 2010, Call 1687 – Bagent tells PAGE that he has new crack cocaine and it is good.

August 16, 2010, Call 1718 – PAGE tells Bagent that he deals the most crack cocaine on Thursday, Friday and Saturday. PAGE wants the new stuff [crack cocaine] from Bagent and has \$300 to spend.

August 17, 2010, Call 1833 – PAGE warns Bagent about police presence across from a local car wash.

August 17, 2010, Call 1839 – PAGE has money for Bagent.

August 19, 2010, Call 1915 – PAGE wants a half ounce of crack cocaine from Bagent.

August 20, 2010, Call 2042 – PAGE tells Bagent that he is running out of crack cocaine and he wants more from Bagent.

August 12, 2010, Call 2079 – PAGE tells Bagent that he got pulled over by the police last night on his way to do a drug transaction. Before stopping, PAGE threw out his crack cocaine and he only got a ticket for a suspended license. Later, PAGE went back to look for the crack with a friend but was unsuccessful. PAGE wants to meet with Bagent to do another crack cocaine deal.

August 12, 2010, Calls 2120 and 2121 – PAGE and Bagent are going to meet by a day care center to exchange the crack cocaine.

August 22, 2010, Call 2148 – PAGE advises Bagent that he will need more crack cocaine in a little bit. He only has \$100 for Bagent and Bagent agrees to come over for a transaction.

August 26, 2010, Calls 2448 and 2453 – PAGE tells Bagent that he needs some crack cocaine tomorrow. PAGE is going to put some "change" [money] in Bagent's pocket (Law enforcement surveillance covered this transaction).

August 27, 2010, Call 2500 – Bagent was checking to see if PAGE needed any more crack cocaine before Bagent headed back to his residence in New Orleans, Louisiana.

August 28, 2010, Call 2523 – PAGE tells Bagent that has not been selling the crack cocaine as fast as he would like. PAGE will be ready today.

August 29, 2010, Call 2549 – PAGE tells Bagent that he does not want Bagent to go to the city [New Orleans] because he is going to need him shortly [for more crack cocaine].

August 30, 2010, Calls 2581, 2601 and 2603 – PAGE and Bagent are meeting up to do a crack cocaine deal.

August 31, 2010, Call 2683 – PAGE wants Bagent to pass by him. Bagent asks how PAGE was “looking.” PAGE states that made “a little something” [money from selling crack cocaine] and they discuss PAGE’s business of having to re-sell the crack cocaine. PAGE states that the difference between him and Bagent is that “You [Bagent] give it up in quantity, I break it down [crack cocaine for re-sale].”

September 2, 2010, Calls 2810 and 2813 – PAGE needs Bagent to bring him another “one” [a quarter ounce of crack cocaine]. PAGE can pay for it and another [ounce of crack cocaine]. PAGE wants to “handle business” and to make a “power move.” PAGE has \$300 for Bagent and they also discuss Pookie’s [Robbie Ray] knowledge of PAGE’s drug dealings. They also discuss Courtney Ray and his involvement in the drug business.

September 4, 201, Calls 2930 and 2931 – PAGE has \$200 for Bagent. PAGE needs some more crack cocaine.

September 7, 2010, Call 3063 – PAGE needs to get with Bagent when Bagent gets to Slidell.

September 8, 2010, Call 3102 – PAGE needs a nice “dollar pack” from Bagent [\$100 dollars for a quarter ounce of crack cocaine] and Bagent agrees to come over to complete the drug transaction.

September 8, 2010, Calls 3118, 3123, 3130, 3138, 3141 and 3143 – Bagent and PAGE are arranging a meeting for a half ounce crack cocaine transaction.

For sentencing purposes the Government and the defendant, **PAGE**, agree that **PAGE** should be held responsible for at least twenty-eight (28) grams but not more than one hundred-twelve (112) grams of cocaine base or "crack," which he and the other members of the conspiracy distributed during the course of the conspiracy and because it was reasonably foreseeable to him that this amount of crack would be purchased and/or sold by the conspirators during the course of the conspiracy. Accordingly, **PAGE** acknowledges that the above-referenced conduct constitutes a knowing violation of Title 21, United States Code, Sections 846 and 841(a)(1).

APPROVED AND ACCEPTED:

MICHAEL PAGE
Defendant

(date)

SAMUEL SCILLITANI
Attorney for Defendant

(date)

EDWARD J. RIVERA
Assistant United States Attorney

(date)