

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

UNITED STATES OF AMERICA

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CRIMINAL DOCKET NO. 13-216

v.

*

SECTION: "N"

DWAYNE HUPP

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FACTUAL BASIS

If this case were to proceed to trial, the Government would prove the defendant's guilt beyond a reasonable doubt through the introduction of admissible evidence and the testimony of competent witnesses. More specifically, the evidence would establish the following:

On August 6, 2013, the Liberty Bank located at 3002 Gentilly Boulevard, New Orleans, Louisiana, was robbed by the defendant. The defendant entered the bank and approached the victim teller and handed her a hand written demand note which demanded \$50s and \$100s and a warning that she do "nothing funny" and to give him the money "now". He also gave the instructions orally. The teller gave him approximately \$7399.00. He took the money and ran out of the bank.

On September 4, 2013, the Crescent Bank and Trust located in the Energy Center at 1100 Poydras Street, Suite 100, New Orleans, Louisiana was robbed by the defendant. The defendant entered the bank and approached the victim teller and showed her a hand written demand note that stated "I have a gun." He told the teller to "hurry up and give me the money." She gave him approximately \$1612.00. He took the money and ran out of the bank.

On September 10, 2013, the Liberty Bank was again robbed by the defendant. The defendant entered the bank and approached the victim teller and handed her a hand written

demand note which demanded \$10s, \$20s, \$50s and \$100s and a warning that she should not “play” with him and to not give him a dye pack. He also gave the instructions orally. The teller gave him approximately \$5980.00. He took the money and ran out of the bank.

On September 19, 2013, the Crescent Bank and Trust was again robbed by the defendant. The defendant walked to the same victim teller, who immediately recognized him as the individual who robbed her on September 4, 2013 at the same bank. He produced a hand written demand note for money. The demand note started “I have a gun” and continued with instructions for the teller to give him money. The teller handed him \$2000.00 from the cash drawer. Simultaneously, Energy Centre building security observed the defendant in video surveillance as he entered the Energy Centre and believed him to be the individual who previously robbed Crescent Bank and Trust on September 4, 2013. Security watched him as he entered the bank and noticed the victim teller pointing to the defendant as if she had been robbed. When he exited the bank back into the lobby area of Energy Centre, he was followed and subsequently tackled by the facility manager and security supervisor. He has held until the New Orleans Police Department (NOPD) arrived and placed him under arrest. The \$2000.00 and demand note were recovered on the ground where he was tackled. The FBI took custody of the defendant shortly thereafter.

The defendant was taken to the security offices at the Energy Center. FBI special agents would testify that after he was advised of his Miranda Rights by agents of the FBI, he waived those rights and admitted that he committed the September 4, 2013 and the September 19, 2013 robberies of the Crescent Bank and Trust and the August 6, 2013 and September 10, 2013 robberies of Liberty Bank. The defendant was shown surveillance photographs of the robbery suspect in each of the four robberies. These photographs were obtained from bank surveillance

