

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

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO.: 09-130
v.	*	SECTION: "N" (2)
MICHAEL NELSON	*	VIOLATION: 18 U.S.C. § 2113(a)
a/k/a MICHEAL NELSON	*	
a/k/a MICHALL NELSON	*	
a/k/a RED NELSON	*	
* * *		

FACTUAL BASIS

Should this matter proceed to trial, the United States 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, witnesses and the production of reliable evidence, the following facts:

At approximately 2:30 p.m. on Thursday, April 9, 2009, the Whitney Bank at 465 Belle Terre Boulevard, LaPlace, Louisiana was robbed by a lone black male. The robber entered the front door of the bank dressed in a blue jogging suit. The robber stood by the deposit counter waiting for a teller. The robber then walked up to the teller counter, leaned into the teller window and presented a demand note. The words "Hold Up" were written on the note. The robber told the teller: "This is a holdup, I don't want to hurt you." The teller placed the money from her top drawer in a brown

paper bag until the robber said: "That's enough." The robber picked up the brown paper bag containing bank funds and walked out of the bank.

Based on the descriptions provided by the victim teller, other witnesses, and an examination of the bank surveillance video, the robber was described as follows: Race: black; sex: male; height: approximately 6'01" to 6'02"; build: slim; clothing: blue jogging suit with a black stripe.

Thereafter, a Confidential Informant (CI) contacted the local Drug Enforcement Agency office by cell phone to report information concerning the robbery. The CI was directed to call the New Orleans FBI, Violent Crime Task Force. He/she did so and notified the FBI that the robber's name was MICHAEL NELSON. Further investigation identified the suspect as MICHAEL NELSON, a/k/a MICHEAL NELSON, a/k/a MICHALL NELSON, a/k/a RED NELSON (NELSON), date of birth October 11, 1963. He is a black male, 6'03" with a slim build and weighs approximately 188 lbs. NELSON's physical appearance matches that provided by the victim teller, other witnesses to the robbery and captured by the Whitney Bank surveillance video.

At approximately 4:30 p.m., the CI advised the FBI that NELSON would be traveling to the Burger King located at 2727 Canal Street, near Broad Street, in New Orleans, Louisiana. Several FBI Special Agents and members of the New Orleans Violent Crime Task Force located and arrested NELSON at the restaurant. A search incident to arrest located \$502 on NELSON's person.

FBI Special Agents, in connection with their investigation, also located the blue jogging suit pants fitting the description of those worn by the robber. Additionally, FBI Special Agents located a brown paper bag fitting the description of the bag provided by the Whitney Bank teller to the robber. Inside the bag was a Whitney Bank savings withdrawal slip with the words "Hold Up" written on the back of the slip. FBI Special Agents also located NELSON's wallet with the bag.

FBI Special Agents also conducted a consent search of a Lucky Inn hotel room, located at 2625 Iberville Street, New Orleans, Louisiana, which was occupied by NELSON prior to his arrest. A search of room 111 yielded a blue jogging suit jacket matching the description of the jacket worn by the robber. \$60 in United States currency was also recovered from the referenced room. Should this matter have gone to trial, the Government would have moved to introduce all of the physical items described above into evidence

After arriving at the New Orleans Division office, NELSON advised that he wished to speak to FBI Special Agent William “Chuck” Williams (SA Williams) regarding the robbery. NELSON was read aloud his rights, via a *Miranda* warning, per FBI form FD-395, Advice of Rights. NELSON signed the referenced Advice of Rights form, and the same was witnessed by SA Williams and Task Force Officer Saunders Craine.

After being advised of his rights, NELSON admitted, among other things, to robbing the Whitney Bank in LaPlace, Louisiana, earlier on the afternoon of April 9, 2009. NELSON repeatedly advised that he planned and carried out the robbery on his own and that no other individuals participated in the robbery in any way. NELSON advised that \$500 of the \$502 found on his person at the time of his arrest were proceeds from the bank robbery.

A representative of Whitney Bank would testify that an audit conducted after the robbery established that approximately two thousand eight hundred ninety six dollars (\$2,896.00) of United States currency was taken by NELSON. The same witness would also testify that the deposits of the

Whitney Bank are also insured by the Federal Deposit Insurance Corporation, an agency of the federal government, on the day of the said robbery.

READ AND APPROVED:

EDWARD J. RIVERA
Assistant United States Attorney

DATE

ROMA A. KENT
Counsel for Defendant

DATE

MICHAEL NELSON
a/k/a MICHEAL NELSON,
a/k/a MICHALL NELSON,
a/k/a RED NELSON
Defendant

DATE