

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

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CRIMINAL NO. 08-188

v.

\*

SECTION: "N"

QUINCY BROWN

\* \* \*

**FACTUAL BASIS**

If this case were to proceed to trial, the United States would prove the following facts beyond a reasonable doubt:

In May 2007, agents of the Drug Enforcement Administration (DEA) began an investigation into the drug trafficking activities of QUINCY BROWN, and others in the Eastern District of Louisiana. The investigation included the use of information from task force agents, state and local law enforcement officers and confidential sources. Agents analyzed pen register information and telephone toll records, conducted surveillance and made controlled narcotics purchases and seizures from members of this drug trafficking conspiracy. Additionally, on April 28, 2008, an affidavit was filed for the interception of wire communications over a cellular telephone utilized by Quincy BROWN. Interception of wire communications to-and-from this telephone continued until June 30, 2008. Numerous drug related calls were intercepted in which BROWN and others discussed

obtaining and possessing distributable quantities of cocaine, the conversion of cocaine into crack cocaine and arrangements for drug transactions.

During the conspiracy, Quincy BROWN distributed quantities of cocaine hydrochloride and cocaine base on a daily basis. Frank Venegas, Raymond Naro and others assisted Brown with his drug trafficking activities. BROWN utilized coconspirators to drive him to locations to conduct drug sales and on occasion distributed drugs on his behalf.

During the months of May 2007 through February 2008, a DEA Undercover Agent made several undercover purchases of cocaine hydrochloride and cocaine base from BROWN. During these purchases, the DEA Undercover Agent (UC) would contact BROWN via cellular telephone and make arrangements for the purchase. The UC would then later meet BROWN to pay for the narcotics and consummate the transaction.

For example, on Friday, May 4, 2007, a DEA confidential source (CS) contacted BROWN via cellular telephone and arranged to purchase a \$50.00 quantity of cocaine. BROWN instructed the CS to meet him at a restaurant located in Metairie, Louisiana. After establishing surveillance at the restaurant agents observed a green Ford Escape being driven by Frank Venegas, park the Ford Escape behind the CS's vehicle. Venegas exited the vehicle, and handed the CS one clear plastic bag containing approximately one-half gram of cocaine in exchange for \$50.00. After the exchange, both Venegas and the CS left the parking lot. The CS met agents at a pre-arranged location where the CS relinquished custody of the cocaine to agents.

On Friday, June 22, 2007, the UC met BROWN, who was accompanied by Frank Venegas and Raymond Naro, at a local restaurant. During the meeting, the confidential source (CS) introduced the UC to BROWN and the negotiations for the purchase of crack cocaine from BROWN ensued. BROWN told the UC that he (BROWN) sells ounce quantities of crack cocaine and directed the UC to go through the CS who would arrange the purchases with BROWN.

On Thursday, June 28, 2007, the CS placed a recorded and monitored telephone call to BROWN and arranged to purchase \$100.00 of cocaine and the UC arranged to purchase a \$200.00 quantity of crack cocaine. BROWN instructed the CS and the UC to meet him at a local restaurant in Metairie, Louisiana. A short time later, a tan colored Chevrolet pick-up truck driven by Naro with BROWN seated in the passenger seat, arrived at the restaurant and parked beside the CS's vehicle. Naro entered the restaurant and summoned the CS and UC to come outside, which they did. Upon Naro's return to the truck, he (Naro) tossed a plastic bag containing approximately 4.4 grams of crack cocaine and approximately 2.1 grams of cocaine hydrochloride into the CS's vehicle. The CS and the UC handed BROWN \$100.00 and \$200.00 respectively and proceeded out of the area.

On March 4, 2008, agents intercepted a wire communication from BROWN to a source of supply, Jason Flowers, wherein BROWN asked Flowers if he was "straight" . . . if he had "good, good hard?" Flowers replied "yeah." BROWN told Flowers to give him "two hard and he will buy some more tomorrow." Agents with the DEA would testify that "hard" is coded language for cocaine base. During the calls, Flowers indicated to BROWN that he had cocaine base and BROWN told Flowers that he wanted two ounces. Agents would also testify that they conducted surveillance

of BROWN following this telephone call and saw him meet Flowers at a fast food restaurant in Metairie, Louisiana.

On May 6, 2008, agents again intercepted a wire communication between Flowers and BROWN wherein BROWN requested that Flowers bring him "three hard" and to "tighten up on it because BROWN was going to be bringing Flowers quite a bit of hard business this week." DEA agents would testify that during this phone call BROWN requested three ounces of cocaine base from Flowers and indicated that he did not want Flowers to cheat him on the weight. The next day, May 7, 2008, agents intercepted a conversation between BROWN and Flowers in which BROWN told Flowers he would meet him in 45 minutes and he wanted Flowers to give him "the whole 27." BROWN indicated he wanted Flowers to "hook him up and give him a little extra piece." Agents interpreted this coded conversation to mean that BROWN would be paying Flowers \$2700 which was the current price for three ounces of cocaine base. Agents and other law enforcement officers would testify that they conducted surveillance at Flowers residence in LaPlace, Louisiana, following this telephone conversation and observed Flowers leave to meet with BROWN. A traffic stop of Flowers and other individuals in his vehicle resulted in the seizure of three ounces of cocaine base.

On June 21, 2008, during an intercepted call, BROWN asked Steven Crochet to "call the dude and see if he could sell me like three quarters of hard." When BROWN said "the dude," he was referring to Roderick Washington, another source of supply. During a subsequent call, BROWN said to Crochet, "tell him if they good I'll get three more in an hour. I don't feel like cooking that shit." Agents would testify that BROWN ordered three quarter ounces of crack cocaine. Later,

surveillance agents observed BROWN and Crochet meet with Washington at Rouses grocery store and again later that night.

On June 26, 2008, BROWN was intercepted talking to Washington. BROWN told Washington, "I need some for like seventeen." BROWN then met with Washington at Lafreniere Park to obtain the crack cocaine. Later BROWN called Washington and requested another, "eight bags for fourteen." BROWN and Washington made arrangements to meet at the Treasure Chest Casino. Agents would testify that BROWN asked Washington for \$1700.00 worth of crack cocaine during the first call and an additional two ounces of crack cocaine for \$1400.00 during the second call.

On June 25 and 26, 2008, agents seized drug proceeds in the amount of \$640,004.73 in cash from safe deposit boxes owned by BROWN. On July 17 and 22, 2008, agents seized drug proceeds in the amount of \$15,406.01 from bank accounts owned by BROWN. BROWN was arrested on June 30, 2008. Following his arrest, BROWN consented to the searches of his residences which are located 6544 Milne Boulevard, New Orleans, Louisiana, and 6840 Catina Street, New Orleans, Louisiana. During the searches of BROWN's two (2) residences, Agents seized approximately one hundred (100) grams of cocaine hydrochloride and U.S. currency. All substances obtained from members of the organization were later tested at the Drug Enforcement Administration laboratory and tested positive for cocaine hydrochloride and cocaine base.

The undersigned prosecutor and DEA Special Agents assigned to this investigation have done a thorough review of all drug types and quantities provable during the entire course of the

conspiracy. The amount of narcotics that BROWN is responsible for distributing or that was reasonably foreseeable to him as being distributed in this case includes a total quantity of at least 15 kilograms but less than 50 kilograms of cocaine hydrochloride and at least 500 grams but less than 1.5 kilograms of cocaine base ("crack"). This assessment was arrived at through careful analysis of all seizures, consensually monitored and intercepted telephone calls, law enforcement surveillance, telephone records analysis and witness interviews.

Read and Approved:

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QUINCY BROWN  
Defendant

\_\_\_\_\_  
Date

\_\_\_\_\_  
DYLAN UTLEY  
Defense Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
TRACEY N. KNIGHT  
Assistant United States Attorney

\_\_\_\_\_  
Date