

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

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO. 09-052
v.	*	SECTION: "A"
TENITA MARCHE FOSTER	*	
	* * *	

FACTUAL BASIS

The defendant, **TENITA MARCHE FOSTER** (hereafter "the defendant" or "**FOSTER**"), has agreed to plead guilty as charged to the one-count indictment charging her with assault on a federal law enforcement officer, in violation of Title 18, United States Code, Section 111 (a)(1). In pleading guilty, the defendant admits the following facts as set forth below.

Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the indictment now pending against the defendant, as well as the relevant history for sentencing purposes set forth below:

On or about June 3, 2008, the 18th Judicial District Court for the Parish of West Baton Rouge, Louisiana, issued an arrest warrant for **G.G., Jr.**, for a felony.

The Middle Louisiana Fugitive Task Force, coordinated and controlled by the United States Marshals Service, is a multi-agency task force that targets persons wanted for certain types of felonies in the Parishes that comprise the United States judicial district known as the Middle District of Louisiana, including, but not limited to, the Parish of West Baton Rouge, Louisiana.

In early August 2008, the Middle Louisiana Fugitive Task Force, in conjunction with the United States Marshals, began searching for **G.G., Jr.**

Michael Lorio is a Detective with the West Baton Rouge Sheriff's Office and is assigned to the Middle Louisiana Fugitive Task Force. Officer Lorio has been deputized and sworn as a Special Deputy United States Marshal. Michael Lorio would testify that, in the course of his duties as a member of the Middle Louisiana Fugitive Task Force, he searched for and sought the apprehension of **G.G., Jr.** During the course of his search for **G.G., Jr.**, Officer Lorio had occasions to meet with **G.G., Jr.'s** sister, the defendant, **TENITA MARCHE FOSTER**, introduce himself, and identify himself as a federal law enforcement official.

Officer Lorio would testify that on or about January 26, 2009, he was on duty for the Middle Louisiana Fugitive Task Force, in his capacity as a Special Deputy United States Marshal, with fellow Task Force member, Deputy United States Marshals Bernie Deschamp (collectively, "the Officers"). On that date, the Officers received a tip from a confidential informant that **G.G., Jr.** was presently located at the defendant's residence, within the Eastern District of Louisiana. Based on the tip, the Officers immediately traveled to **FOSTER'S** residence to search for and execute the arrest warrant against **G.G., Jr.**

The Officers would testify that when they arrived at **FOSTER'S** residence, they saw **G.G., Jr.** and **FOSTER** standing in the back yard of the residence. When **G.G., Jr.** saw the Officers, he

began running toward the back door to **FOSTER'S** house, where the Officers lost sight of him. The Officers exited their vehicle, announced themselves as law enforcement officers, and began searching for **G.G., Jr.** Officer Lorio presented his law enforcement credentials to **FOSTER**.

The Officers would further testify that they went inside **FOSTER'S** residence in search of **G.G., Jr.** and that **FOSTER** followed the Officers inside. Once inside the house, Lorio and Deschamp split up to look for **G.G., Jr.** in different parts of the house. **FOSTER** followed Lorio through the house, screaming for the Officers to get out of her house.

Officer Lorio would testify that, while **FOSTER** followed him through the house, she picked up a portable telephone and made a call. **FOSTER** yelled the name "Bo," who **FOSTER** stated was her husband, and told "Bo" that there were intruders armed with guns in her house holding her hostage.

Officer Lorio would testify that immediately after the phone call, **FOSTER** began screaming at Officer Lorio again and also began striking Officer Lorio on his head and face. Officer Lorio gave **FOSTER** multiple verbal commands to stop, and he eventually subdued **FOSTER**, placed her under arrest, and advised her of her constitutional rights.

Testimony from the Officers would indicate that they eventually located **G.G., Jr.** on **FOSTER'S** property and arrested him after a brief struggle.

Finally, the Officers would testify that as they were leaving **FOSTER'S** residence, with both **FOSTER** and **G.G., Jr.** in custody, they encountered several "marked" Tangipahoa Parish Sheriff's Office units traveling at a high rate of speed in the direction of **FOSTER'S** residence. Testimony from a dispatcher at the Tangipahoa Parish Sheriff's Office 9-1-1 Call Center would show that the units were dispatched in response to a call from **FOSTER'S** husband, who stated there were

intruders armed with guns in **FOSTER'S** house and that he believed they were trying to harm his wife.

By engaging in the behavior outlined above, **DEFENDANT FOSTER** knowingly did forcibly assault, resist, oppose, impede, intimidate, and interfere with Michael Lorio, a Deputy United States Marshal, while he was engaged in his official duties, and said assault involved physical contact with the victim, Michael Lorio, Deputy United States Marshal.

The above facts would have been proven beyond a reasonable doubt by credible testimony of agents from the United States Marshals Office, the Middle Louisiana Fugitive Task Force, and documents and records of said agencies.

APPROVED AND ACCEPTED:

JORDAN GINSBERG
Assistant United States Attorney
Illinois Bar Roll No. 6282956

Date

TENITA MARCHE FOSTER
Defendant

Date

SAM SCILLITANI
LA Bar Roll No. 21371
Attorney for the Defendant

Date