

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

<b>UNITED STATES OF AMERICA</b>	*	<b>CRIMINAL DOCKET NO.: 10-171</b>
<b>v.</b>	*	<b>SECTION: "N"</b>
<b>CHARLES S. LARVINETTE</b>	*	
<b>a/k/a "CHEDDA"</b>		
	* * *	

**FACTUAL BASIS**

If this case were to proceed to trial, the government would prove that the defendant, **CHARLES S. LARVINETTE a/k/a "CHEDDA" (LARVINETTE)**, is guilty beyond a reasonable doubt of the Indictment which charges **LARVINETTE** with a violation of the Federal Gun Control Act under Title 18, United States Code, Sections 921(a)(20), 922(g)(1) and 924(a)(2). The government would establish through credible and competent witnesses and evidence the following facts:

On Tuesday, May 25, 2010, New Orleans Police Department (NOPD) 4th District Detective Jonathan Hirdes received information from a proven confidential informant that **CHARLES LARVINETTE a/k/a "CHEDDA"** was staying at a residence located at 1918 Pace Street, New Orleans, Louisiana, and keeping numerous handguns and high-powered rifles at the location. Det. Hirdes was familiar with **LARVINETTE** due to previous arrests.

In an effort to verify the information, Det. Hirdes elected to conduct surveillance at 1918 Pace Street, along with NOPD Det. Jonathan Rivet. Surveillance began on May 25, 2010 at 10:30 a.m. At about 12:30 p.m., Dets. Hirdes and Rivet observed a green Ford Expedition bearing LA license plate MNS 714 drive up to the front of the residence and stop. The detectives observed that it was occupied by a female driver, later identified as Nicole Carter, and a female front seat passenger, later identified as Dominique Carter. The two are mother and daughter and Dominique was confirmed as **LARVINETTE's** girlfriend.

Approximately 12:33 p.m., Det. Hirdes observed a black male, who he immediately recognized to be **LARVINETTE**, exit the residence and walk towards the Ford Expedition. As **LARVINETTE** was walking toward Expedition, both detectives observed him adjusting his waistband. Both detectives observed what they immediately knew to be an extended gun magazine protruding from **LARVINETTE's** waistband. Det. Hirdes informed NOPD Det. Quincy Jones and NOPD Det. Sgt. Henry Laurent, who were in the area, that **LARVINETTE** was leaving the residence in the Ford Expedition and that he was armed.

Det. Jones followed the Expedition on Wall Boulevard toward Gen. DeGaulle Drive in an unmarked police vehicle. The Expedition then turned onto Gen. DeGaulle toward the Crescent City Connection. The Expedition then entered the West Bank Expressway ramp toward Jefferson Parish. Det. Sgt. Laurent was then able to position his fully marked police vehicle behind the Expedition. He initiated the overhead lights and siren to signal the driver to pull over and stop. The Expedition pulled to the shoulder and stopped. Det. Sgt. Laurent then ordered the passengers to step out and show their hands. Det. Jones pulled up and stopped behind the vehicles in order to assist Det. Sgt.

Laurent. At this point, **LARVINETTE** opened the right rear door of the Expedition and quickly moved out of the vehicle. As he did so, a firearm fell from **LARVINETTE's** waistband to the ground between the rear of the Expedition and the side concrete barrier. **LARVINETTE** proceeded to jump off the side of the elevated portion of the Expressway down to the ground level onto Gen. DeGaulle and the intersection of Marr Ave. Det. Sgt. Laurent approached the vehicle, retrieved the weapon and rendered it safe. The firearm, a Glock Model 17, 9mm caliber pistol, bearing serial number BHP387469, had an extended magazine with one live round in the chamber and 31 live rounds in the extended magazine. Det. Sgt. Laurent began immediately advising other units of **LARVINETTE's** flight via his radio.

NOPD officers pursued **LARVINETTE** until they lost sight of him in the intersection of Arizona Street and Old Berhman Highway. At this point, the officers set up a perimeter and continued with the search. As the search continued, Det. Sgt. Laurent was approached by a concerned citizen, who stated that he/she lived at 23510 Old Berhman Highway and he/she had recently left the residence with a relative, still inside. The concerned citizen said that when he/she observed the police activity near his/her house, he/she called the relative but no one was answering the telephone. Det. Sgt. Laurent spoke with the NOPD SWAT team commander and made him aware of this information. NOPD SWAT officers went to the concerned citizen's residence, and inside they found the relative, unharmed. NOPD SWAT officers then located **LARVINETTE** in the rear of the residence where he was taken into custody.

The relative reported that **LARVINETTE** had entered the house with a handgun but searches by both the NOPD SWAT officers and the ATF failed to turn up an additional firearm.

**LARVINETTE** was taken to the 4th District where he was questioned by Det. Sgt. Laurent following a *Miranda* rights waiver. **LARVINETTE** stated that as he left his cousin's house on Pace Street, he observed an NOPD vehicle with Det. Sgt. Laurent pull behind his mother in law's Expedition and began to follow them. He said that after Det. Sgt. Laurent ordered them to stop and get out of the Expedition, **LARVINETTE** decided to jump off of the side of the bridge. He acknowledged dropping the Glock Model 17, 9mm caliber pistol, bearing serial number BHP387469 with the extended magazine.

Certified copies of the applicable criminal records would establish that **LARVINETTE** was convicted on July 31, 2009 for Illegal Carrying of a Weapon-Second Conviction, in violation of LA-RS 14:95(C), in the Criminal District Court for the Parish of Orleans, case number 487-004, "E," and sentenced to 3 years hard labor (suspended) with 3 years of active probation. Certified copies of applicable court records would further show that **LARVINETTE** was on probation at the time of the above described incident and that as a condition of his state probation, **LARVINETTE** was prohibited from owning or possessing a firearm.

A expert with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) would testify that the Glock Model 17, 9mm caliber pistol, bearing serial number BHP387469, possessed by **LARVINETTE** on or about May 25, 2010 was not manufactured in Louisiana and therefore had to move in interstate and/or foreign commerce at some point prior to the arrest. The ATF expert would

also state that the firearm met the legal definition of a “firearm” set forth in Title 18, United States Code, Section 921(a)(3).

**APPROVED AND ACCEPTED:**

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**CHARLES S. LARVINETTE**                      Date  
**a/k/a "CHEDDA"**  
Defendant

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**CYNTHIA M. CIMINO**                      Date  
Attorney for Defendant

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**EDWARD J. RIVERA**                      Date  
Attorney for the United States of America