

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

UNITED STATES OF AMERICA

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CRIMINAL NO: 09-262

v.

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SECTION: "R"

JOHN TERRELL MOSELY

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FACTUAL BASIS

Should this matter proceed to trial, the United States would prove beyond a reasonable doubt, through credible testimony and reliable evidence, the following facts:

In July 2008, in the Eastern District of Louisiana, Special Agents with the Drug Enforcement Administration ("**DEA**"), Troopers with the Louisiana State Police ("**LSP**") and officers with the Terrebonne Parish Sheriff's Office ("**TPSO**"), were contacted by a confidential source ("**CS**"), who told them that **John Terrell Mosely** ("**MOSELY**") was distributing crack cocaine in the Houma metro area, and that he could introduce an undercover agent to **MOSELY** for the purpose of purchasing cocaine base "crack" from him. On July 29, 2008, an undercover state trooper was equipped with an audio transmitting device and supplied with \$700 in cash to make a purchase of an ounce of crack cocaine from **MOSELY**. The **CS** then called **MOSELY** and inquired about purchasing an ounce of crack cocaine from him. **MOSELY** responded that he only had a half ounce of crack that he could sell for \$450.00. The **CS** and **MOSELY** then agreed to meet at the corner of

Scott Lane and LA 24 North in the parking lot of a store to make the deal. Sometime thereafter, the undercover state trooper and the **CS** pulled into the above mentioned parking lot, where they found **MOSELY** waiting for them. **MOSELY** then approached and entered the rear passenger side of their vehicle. Once in the car, **MOSELY** removed a plastic bag of crack cocaine out of his pocket and handed it to the trooper. The trooper then paid Mosely \$450.00 in cash. After making the purchase, the trooper turned over the crack cocaine to his supervisor, who weighed and field tested the crack cocaine. The field test indicated that the crack cocaine tested positive for the presence of cocaine base. The crack cocaine was then sent to the **LSP** crime lab for further testing by Forensic Chemist Ronald Porche. The test confirmed that the crack that the trooper purchased from **MOSELY** tested positive for the presence of cocaine base and had a net weight of 3.85 grams.

On August 12, 2008, a **CS** contacted a state trooper with the **LSP** narcotics unit to inform him that **MOSELY** had just received a large shipment of crack cocaine, and that he could assist with another undercover crack deal. An undercover trooper was then equipped with an audio transmitting device and supplied with \$400.00 in cash to make a purchase of a half ounce of crack cocaine from **MOSELY**. The **CS** then called **MOSELY** to determine if he could purchase crack cocaine from him. **MOSELY** responded that he would sell a half ounce of crack cocaine for \$400.00, and instructed the **CS** to meet him on Morgan Street in five minutes to make the deal. Sometime thereafter, the trooper and the **CS** drove to Morgan Street, where they found **MOSELY** waiting for them. **MOSELY** then approached and entered the rear passenger side of their vehicle. Once in the car, **MOSELY** took the bag of crack and weighed it with a scale. Satisfied with the weight, the trooper then paid **MOSELY** \$400.00 in cash. After making the purchase, the trooper turned the crack over to his supervisor, who then field tested it for the presence of cocaine. The field test confirmed that the crack rocks purchased from **MOSELY** contained cocaine. The crack cocaine was

then forwarded to the **LSP** laboratory for analysis. The crack cocaine was tested by **LSP** Forensic Chemist Ronald Porche. The test confirmed that the crack cocaine that the trooper purchased from **MOSELY** tested positive for the presence of cocaine base and had a net weight of 5.16 grams.

On 12/01/2008, a narcotics officer with the **LSP** was contacted by the **CS** regarding an unidentified individual that was dealing crack in the Houma area. The **CS** stated that the unidentified individual was involved in the sale of large quantities of crack cocaine, and that he could assist the officer in making an undercover purchase of crack cocaine from the individual. On 12/2/2008, the **CS** then called the unidentified individual and inquired about the purchase of one ounce of crack cocaine. The unidentified individual responded that he would sell the **CS** an ounce of crack cocaine for \$840.00. The unidentified individual then instructed the **CS** to meet him in the parking lot of the Money Mart. An undercover trooper was then equipped an audio transmitting device, and supplied with \$840.00 in cash to make a purchase of crack from the unidentified individual.

The undercover trooper and the **CS** then entered their vehicle and proceeded to the Money Mart. After arriving at this location, they realized that unidentified individual was not going to show up, so they called him to find out if he was still intent on doing the drug deal. The unidentified individual told the **CS** that he was still interested in doing the drug deal, but that he wanted to meet at the Time Stop instead of the Money Mart. Upon their arrival at the Time Stop, they found the unidentified individual standing in the parking lot. The trooper and the **CS** then approached the unidentified individual and asked him about the drug deal. The unidentified individual told them that he had changed his mind, and no longer wanted to go through with the drug deal. As such, the trooper and the **CS** decided to leave the parking lot. As the two were walking to their vehicle, they were stopped by **MOSELY**, who wanted to know what they were looking for. The trooper indicated

that he was interested in purchasing an ounce of crack cocaine. **MOSELY** advised that he could supply them with the an ounce, and instructed them to meet him at his house located on the corner of Eliza and Morgan Street. Shortly thereafter, the three met at his house and began discussing the drug deal. **MOSELY** then asked the **CS** to exit the vehicle and follow him. The **CS** exited the vehicle and walked to the back of the residence with **MOSELY**. **MOSELY** then lifted a dog house located in the back yard, and retrieved a bag of crack that was hidden underneath it. The **CS** took the bag of crack and brought it back to the trooper. The trooper then weighed the bag on a small digital scale. He then gave the **CS** \$840.00, which he immediately gave to **MOSELY**. The crack was then sent to the DEA lab for further testing. The crack cocaine was then forwarded to a **DEA** laboratory for analysis. The crack was tested at the **DEA** lab on December 17, 2008, by Forensic Chemist Ted L. Chapman. The test confirmed that the crack that the trooper purchased from **MOSELY** tested positive for the presence of cocaine base and had a net weight of 24.4 net grams.

On 4/8/2009, members of **DEA**, **LSP**, and the **TPSO** formulated plans to purchase approximately two and a half ounces of crack cocaine from **MOSELY**. As such, a **CS** placed a recorded call to **MOSELY** to determine if he had any crack cocaine to sell. **MOSELY** told the **CS** during the phone call that he should come to his house located on Morgan Street in Houma to pick up the crack. Shortly thereafter, an undercover trooper, who was equipped with audio and video recording equipment, drove with the **CS** to **MOSELY'S** residence. After arriving at the residence, **MOSELY** walked out of his house and entered the back seat of the undercover vehicle. **MOSELY** then handed the trooper a bag of crack. In return, the trooper gave **MOSELY** \$2,200.00 in cash. After the transaction was completed, the crack cocaine that the trooper purchased from **MOSELY** was forwarded to the **DEA** crime lab for testing. The test was conducted on 4/30/09 by Forensic

Chemist Ted L. Chapman. The test confirmed that the crack cocaine contained 52.1 net grams of cocaine base.

On 4/20/09, members of **DEA**, **LSP**, and the **TPSO** formulated plans to purchase approximately two ounces of cocaine base from an unidentified individual, a known member of the UBB street gang. As such, a **CS** placed a recorded call to the unidentified individual source to confirm the transaction. Following the phone call, the **CS** and an undercover trooper drove to 512 Morgan Street in Houma to meet the unidentified individual. After arriving at the house, the **CS** exited the vehicle and encountered **MOSELY** on the porch of the house. **MOSELY** told him that the unidentified individual had not arrived yet, and that they should wait ten minutes for him to return. After waiting for some time, the **CS** called unidentified individual to find out if he was going to show up at the residence to do the deal. The unidentified individual then stated that he did not want to do the deal at the house because the police might be there. The **CS** then told the unidentified individual to meet them at the BP gas station.

After waiting sometime at the BP gas station, the **CS** called the unidentified individual to determine if he was going to show up to complete the drug deal. The unidentified individual told the **CS** that he did not want to be personally involved in the transaction, but that he would have **MOSELY** handle it for him. Sometime later, the **CS** and **Mosely** met back at the house, and exchanged \$2,400.00 in cash for a bag of crack. The crack was then tested at the **DEA** lab on 6/16/09, by Forensic Chemist Ted L. Chapman. The test confirmed that the crack that was purchased from **MOSELY** tested positive for the presence of cocaine base and had a net weight of 34.1 grams.

As part of his guilty plea, **MOSELY** also agrees to accept responsibility for the following crimes that he was charged with in the 32nd Judicial District Court for the Parish of Terrebonne:

1.) Unlawful possession of a firearm while in the possession of a controlled dangerous substance, in violation of Louisiana Revised Statute

14:95 E;

2.) Unlawfully and intentionally obtain proceeds from drug transactions in violation of La. R.S. 40:1041.

JOHN TERREL MOSELY
Defendant

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