

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

UNITED STATES OF AMERICA

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CRIMINAL NO: 09-098

v.

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SECTION: "R"

STEVE A. CASTON

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FACTUAL BASIS

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

Beginning at a time unknown but on or about January 1, 2006, and continuing until on or about January 23, 2009, the defendant, STEVE A. CASTON (hereinafter "**CASTON**"), did knowingly and intentionally conspire and confederate with Larry Edwards (hereinafter "**EDWARDS**"), Calvin Lunkins (hereinafter "**LUNKINS**"), and other persons to distribute and possess with the intent to distribute fifty (50) grams or more of cocaine base ("crack") and quantities of cocaine hydrochloride.

Additionally, on or about January 22, 2009, in the Eastern District of Louisiana, detectives with the New Orleans Police Department (“NOPD”), were contacted by a confidential source, who told them that EDWARDS was distributing crack cocaine from his residence located at 1116 Saint Ferdinand, and that he personally witnessed crack being sold from this location in the past twenty-four hours. Based upon the foregoing, the officers asked the confidential source to make a controlled purchase from EDWARDS. Sometime thereafter, the confidential source walked to EDWARDS’s home, and made contact with him and **CASTON**. The three then went inside of the house, and began discussing the confidential source’s interest in purchasing cocaine from EDWARDS. EDWARDS then turned to **CASTON** and began negotiating a wholesale price for the cocaine that he was going to sell to the confidential source. **CASTON** then left the house, got into his vehicle, and drove to his house located at 14512 Haynes Blvd. EDWARDS then told the confidential source to come back when **CASTON** returned. Upon **CASTON**’s return, the confidential source witnessed EDWARDS and **CASTON** exchange money for a bag of crack cocaine. **CASTON** then left the house. Following his departure, the confidential source and EDWARDS completed their drug deal.

On January 23, 2009, NOPD detectives obtained a search warrant for EDWARDS’s and **CASTON**’s residences. The officers then went to **CASTON**’s home to execute the warrant. As they approached the house, they encountered **CASTON** on his front lawn as he was leaving the residence. Upon informing him about the search warrant, **CASTON** dropped a camera bag that he was carrying. The officers then searched the camera bag and found fifty-five thousand one hundred twenty (\$55,120) dollars in U.S. currency, a clear plastic bag containing white powder, a loaded .380 caliber semi automatic pistol, and a fully-loaded .380 caliber magazine. The officers then searched the house and found two thousand eight hundred (\$2,800) dollars in U.S. currency in **CASTON**’s

bedroom. The officers also searched **CASTON** and found nine hundred (\$900) dollars in U.S. currency in his right front pocket. The cocaine that was found in **CASTON**'s camera bag was later tested at the NOPD Crime Laboratory by Criminalist William Giblin on February 3, 2009. The test indicated that the white powder substance was, in fact, cocaine hydrochloride, and had a net weight of 7.1 grams.

Certified court records would establish that **CASTON** was convicted after a judge trial on or about August 16, 1999, in the Criminal District Court for the Parish of Orleans, under Docket Number 402-328 "K," for Attempted Possession of 28-200 Grams of Cocaine in violation of Louisiana Revised Statute 40:967(A)(1). Certified copies of court records would also establish that **CASTON** was sentenced to serve five years imprisonment with the Louisiana Department of Corrections.

An expert with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") would testify that the firearm that **CASTON** possessed at the time of his instant arrest was a Jennings Firearms model 48, .380 caliber pistol, bearing serial number 881739. The ATF expert also would testify that said weapon meets the legal definition of a "firearm" as set forth in Title 18, United States Code, Section 921(a)(3). The ATF expert would also testify that the firearm was not manufactured in the State of Louisiana and therefore, by virtue of the fact that it was recovered in Louisiana on or about January 23, 2009, it had to have crossed state lines and affected interstate commerce.

STEVE A. CASTON hereby admits that on or before January 1, 2006, and continuing until on or about January 23, 2009, he knowingly participated in a criminal conspiracy with Larry Edwards, Calvin Lunkins, and other persons to distribute and possess with the intent to distribute

fifty (50) grams or more of cocaine base (“crack”) and quantities of cocaine hydrochloride, and he acknowledges that said conduct constitutes knowing violations of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), 841(b)(1)(C), and 846.

CASTON further admits that on January 23, 2009, he was in knowing possession of 7.1 grams of cocaine hydrochloride, he intended to distribute said narcotic drug controlled substance, and he hereby acknowledges that said conduct constitutes a violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

Finally, **CASTON** also admits that in furtherance of his above-mentioned drug trafficking crimes and in violation of his status as a prohibited possessor, he was in possession of the above-mentioned Jennings Firearms model 48, .380 caliber pistol on January 23, 2009, and he acknowledges that said conduct constitutes knowing violations of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 924©.

READ, APPROVED, and ACCEPTED:

STEVE CASTON ____/____/_____
Defendant

MICHAEL G. RIEHLMANN ____/____/_____
Attorney for Defendant

SPIRO G. LATSIS ____/____/_____
Assistant United States Attorney