

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

UNITED STATES OF AMERICA

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CRIMINAL DOCKET NO. 12-051

v.

*

SECTION: "K"

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CHINA STEWART

aka "Miss China"

*

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FACTUAL BASIS

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

Overview:

In late 2010, federal agents with the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives (A.T.F.) started investigating several acts of violence that had taken place in the Carrollton Area of the City of New Orleans. During the course of this investigation the agents reviewed numerous police reports, 911 calls, recorded telephone calls, and have spoken to several cooperating witnesses. Based on this investigation agents have determined that **CHINA STEWART**, aka "Miss China", aka "Mom", **TYRONNE STEVENSON**, aka "Duke", **CAREY JONES**, aka "Bean", **THERON GOLSTON**, aka "Thema", **RYAN CARROLL**, aka "Ronnie Boo", **BERNELL WILLIAMS** aka "Bussy", and **WALTER CONLEY**, aka "Ike Neezy", and other known individuals were members and associates of an organization engaged in, among other things, conspiracy to distribute controlled substances, the distribution of controlled substances, murder, conspiracy to commit murder, attempted murder, and obstruction of justice in the Hollygrove area of the City of New Orleans from 2006 to the

present. This organization, including its leadership, membership, and associates, constituted an "enterprise", as defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact. The enterprise engaged in, and its activities affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise. As such, the members of this enterprise possessed, used, carried, and discharged numerous firearms in furtherance of their drug trafficking activities in an effort to protect their drug turf, to retaliate against other rival neighborhood drug groups, such as "Hell City", and for the purpose of maintaining and increasing their position in the enterprise.

Agents have identified some of the members of "Hell City" as B.C, J.G., C.M., G.B., L.W., J.S., D.H. G.S., and G.S. During the last several years, numerous shooting have taken place between these two rival groups.

Count 6:

On April 17, 2008, an NOPD undercover officer made contact with Tyronne Stevenson at 8841 Olive Street. The officer provided Stevenson with twenty dollars and received two (2) pieces of crack cocaine in exchange. Stevenson was subsequently arrested, found in possession of the previously recorded buy money, and booked into the Orleans Parish Prison. The drugs that were sold to the undercover officer were tested at the NOPD crime lab and tested positive for cocaine base ("crack").

During a follow-up investigation into this matter, federal ATF agents obtained recorded telephone conversations made by Stevenson after his arrest to his mother, **China Stewart** and N.R. In a phone call made on April 17, 2008 at approximately 1:55 PM, Stevenson calls **Stewart** and directs her to retrieve the additional crack cocaine that he had had secreted behind a washer at their residence. **Stewart**, along with the assistance of N.R., while on the phone with Stevenson, locates and retrieves the crack cocaine.

Stevenson then instructs N.R. to "get off that for me". During this call Stevenson had his mother, **China Stewart**, locate his stash spot of crack cocaine. She then gives the crack cocaine to N.R. who sells it for Stevenson.

In call 1208-545-509, made on April 18, 2008, at 2:03 pm, Stevenson calls and speaks to J.R. about contacting Carey Jones to try and get \$500 to put toward his bail. Stevenson, who is angry because he doesn't believe Jones and the others are doing enough to help him, says "*Man, that n***** ain't tryin' to do shit, man! My Mom hustle harder than them dumb ass bitches and they about six deep!*" referring to the fact that he believes his mother, **China Stewart**, is working harder selling drugs to get him out of jail than his six friends.

Relevant Conduct:

On **July 9, 2008**, several of the defendants and their un-indicted co-conspirators, including Tyrone Stevenson, aka "Duke", Ryan Carroll, aka "Ronnie Boo", L.S., B.T., Walter Conley, aka "Ike Neezy", N.R., and Bernell Williams, aka "Bussy" and others, got into a stolen white van with numerous firearms and drove through the area controlled by "Hell City" looking to retaliate against the members of "Hell City". Ryan Carroll was armed with a handgun, Tyronne Stevenson had an assault weapon and other individuals inside the van had several other firearms. As the van approached 1726 Monroe Street, it slowed down and several individuals in the van produced firearms and attempted to shoot and kill C.M., who was a known member of "Hell City". At least 25 shots were fired from the van from five different firearms that were used in this drive by shooting, including but not limited to an AK-47 assault rifle, a 9mm semi-automatic handgun, a .45 caliber handgun, a .40 caliber handgun, and a .223 assault rifle. C.M. had just exited his car and was walking to his friend's house at 1726 Monroe Street, when the shots

were fired. C.M. fled into the alley next to the house and discovered that he had been shot in the leg. Several cars that were parked on the street and other residences were also hit by the gunfire.

As the van fled down the street, an NOPD officer happened to be driving by and witnessed the shooting. This officer turned and chased the white van as it fled towards the river. The van came to a stop at the intersection of Joliet and Leake streets, where all occupants fled on foot into the neighborhood. The NOPD Officer approached the van and observed several guns and shell casings inside the van. A perimeter was set up around the neighborhood and a search was conducted. **Tyrone Stevenson**, aka "Duke", Ryan Carroll, aka "Ronnie Boo", L.S., B.T., and Bernell Williams, aka "Bussy" were eventually apprehended hiding under different houses in the area. The other individuals in the van at the time of the shooting were able to elude police.

During the apprehension of these subjects, C.M. was transported to the hospital so that he could be treated for his injuries. However, he would not identify his assailants and was uncooperative with the police investigation.

During a follow-up investigation into this matter, federal ATF agents obtained recorded telephone conversations from the subjects while they were in jail. Based on these phone calls, agents were able to determine that N.R. and Walter Conley, aka "Ike Neezy" were also in the van that day during the shooting. Since neither N.R. nor Conley were arrested by the police that day, the other suspects called them from jail numerous times. During these calls the defendants brag about their roles in this shooting. Tyronne Stevenson admits that he was grazed in the back by someone shooting over his shoulder. He also speaks to his mother, **China Stewart**, and asks for her help to come up with an alibi so that he will have a defense in court. Stevenson also calls his girlfriend and warns both her and his mother, **China Stewart**, to watch out for "the pretty bitches", which is code that he uses when he refers to the members of "Hell City". He

goes so far as to describe the cars that the members of "Hell City" drive. On several occasions during the calls, **China Stewart** tells Stevenson that he should not be talking so openly on the jail phones because the police know all the coded words used by Stevenson and his associates when speaking about their criminal activities.

During the ATF follow-up investigation federal agents also located several recorded telephone calls that took place between September 9, 2008 and September 14, 2008. In call 1221-426-922, which was recorded on September 14, 2008 at 4:14pm, Tyronne Stevenson ("Duke") calls **China Stewart**, who places a three way call to Jones ("Bean"). During the call, Jones tells Stevenson, *"I been coming through all day, son"*, meaning that he had been selling drugs. Jones then tell Stevenson that *"Ike had just made two more, we just brung that to her"*, referring to the fact that they had made two hundred dollars from selling crack cocaine and brought the money to "Ms. China".

In calls 1221-427-887, which was recorded on September 14, 2008 at 4:30pm, and call 1221-433-388, which was recorded on September 14, 2008 at 6:02pm, Tyronne Stevenson ("Duke") calls his girlfriend. She says that **China Stewart** is sending all of the members of the group out on the street to sell "ice cream" (crack cocaine) in an effort to raise money to bond him (Stevenson) out of jail. She also says that **China Stewart** wanted to give her some "ice cream" to sell, but she said she did not want to because she did not know how to do it correctly (sell crack cocaine).

On September 14, 2008, NOPD officers responded to an aggravated battery by shooting of Paul May, who later died from his injuries. While on the scene, officers were approached by witnesses who told officers that the shooter fled to 3526 Hollygrove Street, which is the residence of Ryan Carroll and Carey Jones and is located within half of a block from the murder scene. Officers went to that location and met with Hallet Ann Carroll (the mother of Ryan Carroll and Carey Jones) who signed a consent to

search form for her residence. Ann Carroll told officers that her son, Carey Jones, aka "Bean" and his friends had been in and out all night. Other witnesses had told officers that many firearms were kept at or under this same residence. While checking the room of Carey Jones, officers observed rounds of ammunition and drug paraphernalia (mirror with cocaine residue, a razor blade, baggies, boxes of baggies, and a scale, all of which are commonly used in the packaging of crack cocaine for retail sale). In securing the rear yard of the house, officers met with Walter Conley, aka "Ike Neezy" who had a marijuana cigarette in his hand. Officers also found a 9mm Tec-9 semi-automatic handgun on the ground near Conley. As Conley was being escorted from the house, one of the witnesses told officers that Conley was the one who shot the victim (Paul May). Officers looked under the house and saw a cache of firearms. They obtained a search warrant and recovered the following: a Norinco, Sporter MAK-90, 7.63 Assault Rifle, SN 9342623; an Armalite, M16A2, .223 Assault Rifle, SN US112179; an Astra Model A-80, .45 caliber pistol, SN J3650; an AR-15 magazine with 24 rounds of .223 MAK-90 magazine with 20 7.62 rounds; 14 9mm rounds of ammunition; an empty box of .45 caliber rounds; a MAK-90 magazine and two 7.62 rounds; 9 Remington rounds; a Handgun magazine; an Intratec, Tec 9, 9mm pistol, SN 26496; and one 30 round 9mm magazine with 24 rounds of ammunition. Note: a Ruger, P95, 9mm pistol, SN 316-43940 was also recovered from inside the residence. Hallet Ann Carroll claimed ownership of this weapon.

Arthur Harris, aka "Black", aka "Raymine", was inside the residence with Carey Jones, aka "Bean", when the police arrived. Both were placed under arrest for illegal possession of firearms and drug paraphernalia.

A cooperating defendant has stated that at the time of the shooting, Conley, Harris and Jones were walking from a local bar in the Hollygrove area when they encountered the victim, Paul May. Conley

asked Paul May, "How much you got?" Paul May responded that he did not have anything, indicating that he did not want to buy any crack cocaine from Conley. Conley became angry and pulled out a .45 caliber firearm and pointed it at the victim. The victim began to run at which point Conley shot Paul May several times. After the first shot Arthur Harris and Carey Jones fled down the street to Jones' house. Conely shot Paul May several more times and then fled to Jones' house as well, arriving within a few minutes, where he discarded the murder weapon under the back of the house. Later that night Paul May was pronounced dead. According to the autopsy protocol Paul May was the victim of a homicide, which resulted from being shot several times by a firearm. Note: the .45 caliber semi-automatic handgun that was located under the house has been ballistically matched by ballistics experts at the N.O.P.D. Crime Lab to the casings at the scene of the murder of Paul May. In short, it is the murder weapon.

During the follow-up investigation of this incident, ATF agents were able to locate numerous recorded telephone calls from the defendants. In call 1221-475-564, which was recorded on September 15, 2008 at 5:45am, Carey Jones ("Bean") calls N.R. Jones tells N.R. that "*they are hit*" meaning the police found all of their guns and ammunition. Jones and Conley also talk to Theron Golston ("Thema") about the incident. Golston then speaks to Conley and they discuss a "crackhead" who may be "ratting" (speaking to the police) about the murder.

In call 1221-496-595, which was recorded on September 15, 2008 at 11:35am, Tyronne Stevenson ("Duke") calls J.R. and talks to **China Stewart** about the murder. **China Stewart** tells him about everything that happened including what she saw and heard at the scene of the murder. She also talks to him about losing money that "Bean" (Carey Jones) and "Ike" (Walter Conley) were supposed to be bringing her from selling drugs because now they are in jail.

In call 1221-503-796, which was recorded on September 15, 2008 at 1:35pm, Bernell Williams ("Bussy") calls J.R. and she calls N.R. on a three-way. During the call Williams also talks to Theron Golston. During the call Golston tells him that they are getting bond money for Stevenson ("Duke") and Williams ("Bussy"). He says, "*we makin' some cake for you and Duke*", "*Miss China got a cake bakery, ya heard me.*" In this call he refers to selling crack cocaine as "makin' cake" and indicates that Ms. China has a "cake bakery" which identifies that she is the one supplying/making the crack cocaine.

In call 1221-584-270, which was recorded on September 16, 2008 at 11:56am, Stevenson ("Duke") calls his girlfriend, J.R. J.R. tells him that Golston is selling drugs for **China Stewart**. She says that **China Stewart** tried to give her drugs to sell but that she doesn't know how to sell drugs on the street.

In call 1221-587-855, which was recorded on September 16, 2008 at 12:56 pm, Stevenson ("Duke") calls J.R. They talk about drugs and **China Stewart** ("Ms. China") asking J.R. if she wanted any crack cocaine. Stevenson ("Duke") tells J.R. to take the drugs and hold onto them so he'll have something to sell when he "gets home" (gets out of jail).

On November 21, 2008, NOPD pulled over a car driven by R.H. J.R. was the front passenger and Tyronne Stevenson was the rear passenger. Stevenson, who officers observed making suspicious movements in the rear of the vehicle was initially arrested for Possession of an Open Alcoholic Beverage in a Motor Vehicle. However, subsequent investigation and interviews with the two women resulted in the recovery of a .40 caliber firearm from inside the vehicle's glove compartment. J.R. gave police a statement saying that as they were being pulled over by the police, Stevenson handed her a gun and ordered her to put it in the glove compartment and not say anything to police. J.R. told the officers that she complied because she knew of Stevenson's "street reputation" and was afraid of him. R.H. gave a

similar statement to police. Both women also stated that they had received telephone calls during the course of the investigation from Stevenson's mother, **China Stewart**, telling them to "take the charge" and say the gun belonged to one of them.

During the follow-up investigation of this incident, ATF agents were able to locate numerous recorded telephone calls from the defendant. In call 1227-357-670, made on November 22, 2008 at 6:40 am, Tyronne Stevenson calls and speaks to N.R. who is on another phone line with **China Stewart**. All three discuss how the girls would not take the gun charge for Stevenson. N.R. tries to make a three-way call to R.H. In call 1227-391-114, made on November 22, 2008 at 3:57 pm, Stevenson calls and talks to J.R. J.R. explains to Stevenson what happened the night of his arrest, how he did in fact give her the gun to secret in the glove box and how R.H. was crying and how J.R. believes that R.H. told the police what happened and where the firearm the located. In call 1227-392-495, made on November 22, 2008, at 4:20 pm, Tyronne Stevenson talks to Carey Jones, aka "Bean" who asks Stevenson if he had any drugs on his at the time of his arrest. Stevenson tells Jones that the drugs were at his house. Jones says that he will get the drugs and sell them for Stevenson but that Stevenson must first call and tell **China Stewart** that it's okay to give Jones the drugs. Stevenson agrees to make the call. In call 1227-459-172, made on November 23, 2008 at 10:51 am, Tyronne Stevenson talks to J.R. and tells her "*I'm gonna fuck that ho up though, real talk*" referring to how he going to harm R.H. if she doesn't keep her mouth shut about what happened.

Additional witnesses would testify that TYRONNE STEVENSON, aka "Duke", CAREY JONES, aka "Bean", THERON GOLSTON, aka "Thema", RYAN CARROLL, aka "Ronnie Boo", BERNELL WILLIAMS aka "Bussy", and WALTER CONLEY, aka "Ike Neezy", were street level dealers of illegal narcotics and sold crack cocaine (and on occasion marijuana and heroin) on a daily basis from 2006

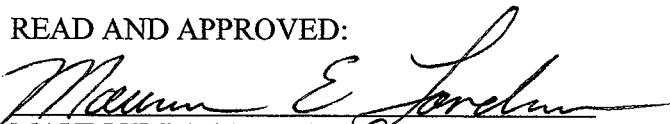
through 2012, while hanging out on the street corners in the Hollygrove neighborhood, when they were not in jail. These witnesses would also testify that **CHINA STEWART**, aka "Ms. China", aka "Mom", supplied these individuals with crack cocaine on occasion so that they could sell these drugs on the street in an effort to raise bond money to get their associates out of jail.

The Government and the defendant **CHINA STEWART** agree and stipulate that for sentencing purposes the government could prove that the amount of cocaine base ("crack") that was distributed and possessed with the intent to be distributed by members of this conspiracy during the course of this conspiracy was not less than 28 grams but not more than 196 grams of cocaine base ("crack"). The amounts of marijuana and heroin that was involved in this conspiracy were negligible for sentencing purposes.

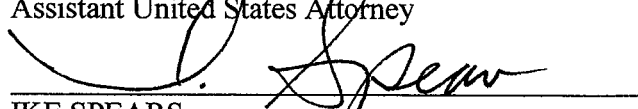
Limited Nature of Factual Basis

This proffer of evidence is not intended to constitute a complete statement of all facts known by **CHINA STEWART** and described by **CHINA STEWART** to the government, but rather is a minimum statement of facts intended to prove the necessary factual predicate for the guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for **CHINA STEWART**'s plea of guilty to the charged offense in Count 6 of the Superseding Indictment.


READ AND APPROVED:


MAURICE LANDRIEU
Assistant United States Attorney

10/26/12
DATE


IKE SPEARS
Counsel for China Stewart

10/22/12
DATE


CHINA STEWART
Defendant

10-22-2012
DATE