

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

\* CRIMINAL NO. 15-128

v.

\* SECTION: "K"

ROYLE A. FOLSE, JR.

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**FACTUAL BASIS**

Were this matter brought to trial, the United States would prove, through competent witnesses and documentary evidence, the following beyond a reasonable doubt.

In early 2010, agents with the Louisiana Department of Wildlife and Fisheries Enforcement ("LDWF") received information that Royley A. Folse, Jr., ("**Folse**") was illegally hunting and selling poached deer meat, game fish, and gros becs in violation of State and Federal laws. Shortly thereafter, an undercover LDWF agent was introduced to **Folse** by an intermediary. After establishing that **Folse** was actively selling poached wildlife products, the agent gave crappie (freshwater game fish) to **Folse** on multiple occasions to resell to **Folse's** customers. **Folse** and the agent then split the profits that resulted from the sale of the fish.<sup>1</sup> On June 26, 2010, the agent went to **Folse's** residence to spend time with **Folse**. Sometime after arriving at the house, **Folse** asked the agent to help him repair damaged pipes in **Folse's** house. The agent agreed to help fix the pipes, so the two drove in **Folse's** truck to a store in Vacherie to pick up plumbing supplies. While they were driving to the store, the agent noticed spent shotgun shells on the floor and the seat of the truck, so he asked **Folse** what he had been shooting. **Folse** told the agent that he had

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<sup>1</sup> Louisiana Revised Statute 56:327 prohibits the sale of fresh or salt water game fish without a Louisiana commercial license.

shot four gros bec the previous morning. **Folse** also stated that he had eaten three gros becs for lunch and one for supper. **Folse** also told the agent that, "gros bec are a southern delicacy." After the repair was completed, **Folse** suggested that they go on an illegal hunt for gros becs. During the hunt, **Folse** shot and killed four gros becs. After the hunt, **Folse** and the agent returned to the residence, where **Folse** cleaned the gros becs. **Folse** then gave the four (4) yellow-crowned night herons (*Nyctansaa violacea*) to the agent in return for helping **Folse** repair the damaged pipes in his house. Sometime thereafter, the agent turned the birds over to his agency to be logged and stored as evidence. This transaction was recorded on video.

On October 24, 2011, the agent called **Folse** on his cell phone to see if he had any gros bec to sell. **Folse** stated that he had more gros bec in his freezer and that he was going to his regular hunting spot that evening to hunt for more. On October 25, 2011, the agent went to **Folse's** residence and paid **Folse** \$98 for fourteen (14) white ibis (*Eudocimus albus*). The agent then turned the birds over to his agency to be logged and stored as evidence. This transaction was recorded on video.

On November 7, 2011, the agent called **Folse** and asked if he had any frogs and gros becs to sell. **Folse** told the agent that he was going to hunt gros bec that afternoon. Later that afternoon, **Folse** told the agent that he had cleaned and stored several gros becs for him. The next day, the agent went to **Folse's** residence and paid **Folse** \$35 for five (5) white ibis (*Eudocimus albus*). The agent then turned the birds over to his agency to be logged and stored as evidence. This transaction was recorded on video.

On November 20, 2011, the agent received a call from **Folse**, who stated that he had killed fourteen gros becs and that he was holding them for the agent. The agent then went to the house to meet **Folse**. Shortly after arriving at the house, **Folse** and the agent went on an illegal hunt for

gros becs. After the hunt, the two returned to the house, where the agent paid **Folse** \$84 for twelve (12) white ibis (*Eudocimus albus*). The agent then turned the birds over to his agency to be logged and stored as evidence. This transaction was recorded on video.

On November 25, 2011, **Folse** called the agent on his cell phone to see if he was interested in purchasing twenty-one (21) gros becs that he had killed the night before. The agent agreed to buy the birds and travelled to **Folse's** house to complete the transaction. Shortly after arriving at the house, the agent met with **Folse** to discuss the transaction. **Folse** stated that he wanted \$147.00 for the gros becs. The agent agreed to the price and gave **Folse** \$150 for twenty one (21) white ibis (*Eudocimus albus*). **Folse** also stated to the agent that he had orders for hundreds of gros becs, but was afraid to fill the orders because it was too risky. The agent then turned the birds over to his agency to be logged and stored as evidence. The transaction was recorded on video.

On December 14, 2011, the agent went to **Folse's** residence. After arriving at the residence, the agent witnessed **Folse** come out his residence carrying two five gallon buckets. **Folse** indicated that he had deer meat in one of the buckets and gros becs in the other bucket. The agent then paid \$70 for the deer meat and \$70 for ten (10) white ibis (*Eudocimus albus*). Following the transaction, the agent turned the birds over to his agency to be logged and stored as evidence. The transaction was recorded on video.

On April 2, 2012, LDWF agents obtained an arrest warrant for **Folse** and a search warrant for his residence. During the arrest, **Folse** admitted that he had a hawk and an owl in his freezer. When asked why he had the birds, **Folse** stated that he picked up the birds from the road to show his grandkids. **Folse** also admitted to selling fish because he needed the money, but denied ever selling deer meat or gros becs.

On April 3, 2012, the LDWF delivered the bird carcasses that were acquired from **Folse** during the investigation to the Louisiana State University Museum of Natural Science ("LSUMNS") for analysis. Experts with the museum analyzed the birds and determined that four of the birds were yellow crowned night herons (*Nyctanassa violacea*). Their analysis also revealed that sixty-two (62) of the birds were white ibis (*Eudocimus albus*). These birds are federally protected by the Migratory Bird Treaty Act, 16 U.S.C. § 703 and 50 CFR 10.13.

**APPROVED AND ACCEPTED:**

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ROYLEY A. FOLSE, JR.

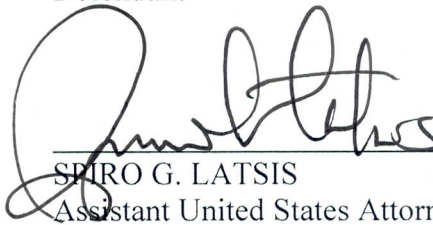
\_\_\_\_\_  
Date

Defendant

\_\_\_\_\_  
VALERIE JUSSELIN

\_\_\_\_\_  
Date

Attorney for Defendant

 6-29-2016

\_\_\_\_\_  
SPIRO G. LATSIS

\_\_\_\_\_  
Date

Assistant United States Attorney