

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

**UNITED STATES OF AMERICA**

\*

**CRIMINAL NO. 18-135**

**v.**

\*

**SECTION: "J"**

**LIONEL THOMAS**

\*

\* \* \*

**FACTUAL BASIS**

Should this matter proceed to trial, the United States will prove the defendant, Lionel THOMAS ("THOMAS"), guilty beyond a reasonable doubt of knowingly and intentionally possessing with the intent to distribute, 28 grams or more of a mixture or substance containing a detectable amount of cocaine base ("crack"), in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B); possession of a firearm as a convicted felon, in violation of Title 18, United States Code, Section 922(g)(1); and possession of a firearm in relation to a drug trafficking crime, in violation of Title 18, United States Code, Section 924(c)(1)(A). The government would establish the following through credible testimony and the production of reliable evidence:

Beginning in January 2018 DEA utilized a confidential source and made purchases of cocaine base ("crack") from the defendant, Lionel THOMAS. Based in part on those controlled purchases, on March 15, 2018, the Honorable Daniel E. Knowles, United States Magistrate Judge for the Eastern District of Louisiana, signed a search warrant authorizing the search of THOMAS's residence, 138 Polk Street, Houma, Louisiana, 70360. On March 20, 2018, law enforcement officers conducted a search of that residence, 138 Polk Street, in Houma, Louisiana. The defendant, Lionel THOMAS, was in the residence before the execution of the search warrant. THOMAS departed in a vehicle. Officers conducted a traffic

AUSA *NDH*  
Defendant *J.T.*  
Defense Counsel *[Signature]*

stop of THOMAS, who accompanied agents back to 138 Polk Street. Officers found the following items in 138 Polk Street:

- a. Seven containers of an off-white rock-like substance that appeared to be crack cocaine, with a total weight of approximately 255 grams;
- b. Four bags of a white powder that appeared to be cocaine hydrochloride, with a total weight of approximately 255 grams;
- c. Four bags of pills, with a total weight of approximately 54 grams;
- d. Three bags of a powder, contained along with unassembled clear pill capsules, that appeared consistent with ecstasy, with a total weight of approximately 80 grams;
- e. Seven containers of marijuana, with a total weight of approximately 15 pounds;
- f. Glass Pyrex containers with a residue consistent with the use of cocaine hydrochloride to manufacture crack cocaine;
- g. One Taurus Model PT145 Pro, .45 caliber semi-automatic pistol, bearing serial number NEU98868, located next to 28 grams of the suspected crack cocaine;
- h. One Seekins Precision Model SBA-15, .223 caliber semi-automatic assault rifle, bearing serial number 01772, loaded with a 100-round drum of ammunition.

Each of the seized firearms was manufactured outside of Louisiana and traveled in interstate commerce.


The government and defendant THOMAS agree and stipulate that for sentencing purposes THOMAS will be held responsible for at least 196 but less than 280 grams of a mixture or substance containing cocaine base (“crack”).

At trial the government would introduce the crack cocaine, and firearms seized from THOMAS on March 20, 2018; the other evidence seized from THOMAS's residence; testimony of the investigating agents and forensic chemist; testimony from a firearms expert that each of the two seized firearms was manufactured outside of the state of Louisiana and traveled in interstate commerce; and the statements of THOMAS and other witnesses.


**Limited Nature of Factual Basis**

This proffer of evidence is not intended to constitute a complete statement of all facts known by THOMAS or 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 THOMAS's plea of guilty to the charged offenses in Counts 1, 2, and 3, and to stipulate that all acts took place within the Eastern District of Louisiana.

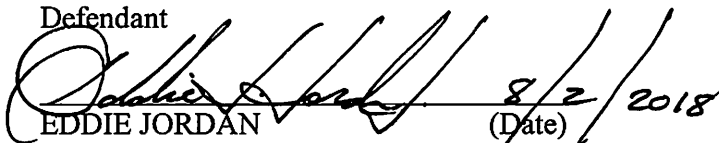
READ AND APPROVED:

  
\_\_\_\_\_  
NICHOLAS D. MOSES  
Assistant United States Attorney

8/2/18  
(Date)

  
\_\_\_\_\_  
LIONEL THOMAS  
Defendant

8-2-18  
(Date)

  
\_\_\_\_\_  
EDDIE JORDAN  
Attorney for the Defendant

8/2/2018  
(Date)