

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	CRIMINAL NO. 18-207
v.	*	SECTION: "S"
LARMONDO ALLEN	*	
a/k/a "Nino"	*	
	*	
	*	
	*	

FACTUAL BASIS

Should this matter have gone to trial, the government would have proved through the introduction of competent testimony and admissible tangible exhibits, the following to support the allegations charged by the United States in the Superseding ^{Bill of Information} Indictment, specifically in Count 3,1 possession of a firearm by a convicted felon, now pending against the defendant, **LARMONDO ALLEN, a/k/a "Nino,"** (hereinafter "**ALLEN**").

EAP
LA
DB

On July 28, 2017 at approximately 9:40 pm, Louisiana State Police (LSP) Troopers Uhle and Brothers were riding in a two man unit when they saw a 2012 Nissan Maxima with a Louisiana temporary tag traveling on Jackson Street approaching South Robertson Street, New Orleans, Louisiana. Troopers conducted a computer query of the displayed Louisiana License Temporary Tag LA-17537644, which resulted in the response of registration not on file. To address the violation, Trooper Uhle positioned his fully marked LSP unit behind the Maxima with the intention of pulling it over, but before having an opportunity to do so, the driver of the Maxima, later identified as Wayne Banks, abruptly pulled to the right shoulder of the road as if to avoid the Troopers. Trooper Uhle positioned his vehicle behind the Maxima and activated his lights and siren.

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Upon exiting the unit, both Troopers Uhle and Brothers observed the front seat occupants quickly moving in a manner as if to exit the vehicle. Trooper Uhle approached the Maxima from the driver's side and Trooper Brothers approached from the passenger side. Trooper Brothers on the passenger side of the Maxima spoke with **ALLEN** who was in the front passenger seat. Trooper Uhle on the driver's side of the vehicle advised both occupants of the reason for the stop. Banks immediately stated that the Maxima was not his car and he did not know where the paperwork was located. Banks and **ALLEN** both flipped through the glove box but could not provide the Troopers with any vehicle documents. The Troopers noticed both occupants appeared extremely nervous. Both **ALLEN** and Banks continuously stated they were going to a friend's house but neither individual could explain why they pulled to the shoulder of the road so abruptly. One of the Troopers saw Banks' hands shaking and **ALLEN**'s carotid artery was visibly pulsing during the stop. A computer query showed both Banks and **ALLEN** were convicted felons. Due to the nervousness of Banks and **ALLEN** and because the Troopers were unable to identify the vehicle, both subjects were asked to step out of the vehicle for officer and violator safety. At that time, two other Troopers arrived at the scene. As **ALLEN** exited the Maxima, Trooper Brothers saw the "butt" of a handgun on the passenger floorboard near the center console. Both subjects were checked for weapons on their person and stood by the rear of the Maxima for the remainder of the investigation. Both Banks and **ALLEN** were detained and advised of their *Miranda* Rights. Both subjects stated they understood and were separated for investigation purposes.

Trooper Uhle entered the passenger side of the Maxima to remove the visible firearm and, in fact, removed two pistols from the passenger seat floorboard where **ALLEN** had been sitting. The firearms were identified as a .40 caliber Beretta, Model PX4 Storm, Serial Number PY135261

and a 9mm Taurus, Model PT111, Serial Number TEY82084. Both firearms were loaded and contained a round in the chamber. Neither firearm has been reported stolen to date.

ALLEN was convicted of Possession with Intent to Distribute Cocaine and Possession with Intent to Distribute Marijuana on April 6, 2016, in Orleans Parish Criminal District Court, Case Number 525-602 "G," which prohibits him from lawfully possessing a firearm.

Both firearms were manufactured outside of the State of Louisiana, and therefore, before **ALLEN** possessed the firearms, the firearms traveled at some time from one state to another.

Both firearms will or are designed to expel a projectile by the action of an explosive.

A review of records obtained from the Bureau of Alcohol, Tobacco, Firearms and Explosives showed that the .40 caliber Beretta was originally purchased in Texas on March 20, 2015 by an individual other than Banks or **ALLEN**. The 9mm Taurus was originally purchased in New Orleans on February 14, 2013 by an individual other than Banks or **ALLEN**.

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LIMITED NATURE OF FACTUAL BASIS

This proffer of evidence is not intended to constitute a complete statement of all facts known by **LARMONDO ALLEN** and by 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 **LARMONDO ALLEN'S** plea of guilty to the charged offenses.


READ AND APPROVED:



LARMONDO ALLEN [date]
Defendant



ELIZABETH PRIVITERA [date]
Assistant United States Attorney



DWIGHT DOSKEY [date]
Counsel for Defendant