

U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
FILED JUN 27 2019
WILLIAM W. BLEVINS
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

* CRIMINAL NO. 15-277

v.

* SECTION: "L"

ERIC ROBINSON

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FACTUAL BASIS

The above-named defendant, **ERIC ROBINSON**, has agreed to plead guilty to Counts One through Five of the Superseding Bill of Information in the above-captioned case. Should this matter have proceeded to trial, the United States of America would have proven beyond a reasonable doubt, through the introduction of relevant, competent, and admissible testimonial, physical and demonstrative evidence, the following facts. Unless stated otherwise, these acts occurred in the Eastern District of Louisiana:

ROBINSON Possessed Firearms on or about July 25, 2017

On or about July 25, 2017, Detective Gibbs of the Gretna Police Department was working a detail at a bar in Terrytown, Louisiana when he observed a red Hyundai Elantra that was parked nearby. He noticed that the license plate on the vehicle belonged to a Nissan, and observed firearms in plain view in the vehicle. Moments later, **ROBINSON**, co-defendant Richard GREEN, and J.R. (who is now deceased) got into the car and departed.

Shortly thereafter, Louisiana State Police ("LSP") Trooper Larry Mayes observed the red Hyundai Elantra traveling Eastbound on U.S. 90 Service Road South. Trooper Mayes observed the vehicle swerve into another lane. Trooper Mayes activated his emergency lights and initiated a traffic stop at or about 101 Westbank Expressway in Terrytown, Louisiana. **ROBINSON** was

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the driver of the vehicle, GREEN was the front right passenger, J.R. was the rear passenger.

Trooper Mayes instructed **ROBINSON** to exit the vehicle. **ROBINSON** got out of the vehicle and stated that he did not have a driver's license. Detective Gibbs then approached to assist with the traffic stop. Trooper Mayes asked Detective Gibbs to stay with **ROBINSON** while Trooper Mayes approached GREEN. As Trooper Mayes began to walk away, **ROBINSON** broke free and began fleeing on foot. Detective Gibbs pursued **ROBINSON** on foot, and Trooper Mayes radioed for backup.

When backup officers arrived, Trooper Mayes approached the vehicle and opened the front passenger door where GREEN was seated. GREEN was sitting with a bottle of Hennessy beside his hand and his left foot was on top of a bulge under the floor mat. Trooper Mayes observed what appeared to be the bottom of a weapon magazine under the floor mat, where GREEN's foot was. Trooper Mayes removed GREEN from the vehicle and handcuffed him. J.R. was also removed from the vehicle and handcuffed. Detective Gibbs returned to the scene, having apprehended **ROBINSON**.

Officers then searched the vehicle. They located a Glock 22, .40 caliber semi-automatic handgun, serial number EYS509, with an extended magazine and 18 live rounds of ammunition located under the driver's seat, where **ROBINSON** had been seated. The Glock 22 was positioned under the driver's seat with the barrel facing towards the rear of the vehicle and the magazine facing towards the center console. If this case went to trial, officers would testify that the positioning of this firearm is consistent with the driver placing it there. A Glock 26, 9mm semi-automatic handgun, serial number KLG093, with an extended magazine and 24 live rounds was located under the passenger floor mat where GREEN's foot had been. The Glock 26 was positioned with the barrel facing towards the rear of the vehicle and the magazine towards the

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center console, which officers would testify is consistent with GREEN placing it there.

At the time that **ROBINSON** and GREEN possessed the firearms in the vehicle, they were prohibited from possessing firearms due to previous convictions punishable by a year or more. Specifically, GREEN had a conviction in Orleans Parish Criminal Court in Case Number 493-807, on February 18, 2010, for Attempted Armed Robbery, in violation of Louisiana Revised Statute 14:(27)64. **ROBINSON** was convicted on April 1, 2014 in Orleans Parish Criminal District Court, in Case Number 519-380, for Possession with Intent to Distribute Marijuana, in violation of Louisiana Revised Statute 40:966(A). **ROBINSON** was arrested for being a felon in possession of a firearm, resisting arrest by flight, improper lane usage, switch vehicle license plate, and no driver's license. GREEN was arrested for being a felon in possession of a firearm and was issued a citation for having an open container of alcohol in a vehicle. J.R. was not a felon, but he had an active attachment in Jefferson Parish, so he was arrested for the attachment and was issued a citation for having an open container of alcohol in a vehicle.

An agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF") would testify that the Glock firearms that GREEN and **ROBINSON** possessed on or about July 25, 2017 were manufactured in Austria. Therefore, these firearms traveled in and affected interstate and foreign commerce.

***GREEN and ROBINSON were Arrested with Narcotics and Firearms
on or about April 3, 2018***

On February 22, 2018, a federal arrest warrant was issued for GREEN based on a federal indictment in this case. GREEN remained at large for approximately six weeks. Law enforcement received information that GREEN was staying at the Ramada Inn located at 1400 West Tunnel Boulevard, Houma, Louisiana ("the Ramada Inn"), in either room 117 or 119.

On or about April 3, 2018, Terrebonne Parish Sheriff's Office (TPSO) deputies went to the

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Ramada Inn and spoke with hotel personnel. Hotel records indicated that **ROBINSON**'s female cousin, D.T., had rented room 117. Hotel staff stated that there was a male occupant in room 117. Ramada Inn records also indicated that **ROBINSON**'s girlfriend, Albreaun JOSEPH, had rented room 119. Hotel staff also stated that room numbers 119 and 117 were associated.

TPSO deputies contacted the occupants of rooms 117 and 119 utilizing a loudspeaker system to call them out of the room. GREEN exited room 117 and was taken into custody because he had the outstanding federal arrest warrant and two outstanding state warrants. As TPSO deputies took GREEN into custody, they observed a clear plastic bag containing an unknown type of pills sitting on the table in room 117 in plain view.

Moments after GREEN exited room 117, JOSEPH exited room 119 with her child. TPSO deputies could immediately smell the strong odor of fresh and burnt marijuana coming from room 119 and observed an additional individual inside of room 119. **ROBINSON** was identified as the additional subject located in room 119, and he exited the room.

All occupants and rooms were secured pending a search warrant. Lieutenant Travis Sanford of the Terrebonne Parish Narcotics Task Force obtained a search warrant that included rooms 117 and 119. While conducting the search of room 117, Lieutenant Sanford located 1 Carisoprodol pill (which is a muscle relaxer), 1 clear plastic bag containing 3 suspected Tramadol pills (which are pain pills), and 1 digital scale. If this case went to trial, agents would testify that, in their training and experience, scales are used by drug dealers to weigh narcotics for sale.

During the search of room 119, Lieutenant Ronald McKay located numerous suspected controlled substances in a drawer of a table located between the two beds. Subsequently, the New Orleans Police Department ("NOPD") laboratory issued a Scientific Analysis Report concluding that these controlled substances were: 0.8 grams of cocaine base; 9 plastic baggies

containing 1.2 grams of a substance containing a detectable amount of fentanyl; and 1 amphetamine pill. In the training and experience of the law enforcement officers, the 9 baggies of fentanyl were packaged for distribution. In the bathroom of room 119, Lieutenant McKay also located approximately 106.9 grams of marijuana and a burnt cigarette containing approximately 1 gram of marijuana in a white bag containing female items. The NOPD Scientific Analysis Report concluded that this substance was marijuana. Near the sink in the bathroom of room 119, Lieutenant McKay located a scale.

In room 119, Lieutenant McKay also located a Glock Model 22 .40 caliber semi-automatic handgun, serial number 12AG01625, and a Smith & Wesson .40 caliber semi-automatic handgun, serial number DVS1876. The firearms were located in a Spiderman baby diaper bag. If this case went to trial, and ATF agent would testify that, in his training and experience, firearms are tools of the trade for drug dealers, who often possess the firearms to protect their narcotics and to deter people from stealing the drugs.

GREEN, **ROBINSON**, and JOSEPH were placed under arrest by officers of the Terrebonne Parish Sheriff's Office. After being advised of her *Miranda* rights by ATF agents and signing a written *Miranda* waiver, JOSEPH admitted that the Spiderman baby bag was hers and that **ROBINSON** put the firearms in her baby bag. After being advised of his *Miranda* rights by ATF agents and signing a written *Miranda* waiver, GREEN stated that one of the firearms in room 119 of the Ramada Inn was his. GREEN said that **ROBINSON** told GREEN to leave this firearm in the hotel room with **ROBINSON**.

An ATF agent would testify that the Glock firearm that GREEN and **ROBINSON** possessed on or about February 22, 2018 was manufactured in Austria, and that the Smith & Wesson firearm that GREEN and **ROBINSON** possessed on or about February 22, 2018 was

manufactured in Massachusetts. Therefore, both firearms traveled in and affected interstate and foreign commerce. Furthermore, at the time that they possessed these firearms, GREEN was prohibited firearm possession on the basis of the aforementioned conviction for attempted armed robbery, and **ROBINSON** was prohibited from firearm possession on the basis of the aforementioned conviction for possession with intent to distribute marijuana.

If this case went to trial, one or more witnesses would testify that GREEN and **ROBINSON** routinely utilized hotel rooms to sell narcotics, that they were armed when doing so, and that they shared firearms.

Limited Nature of Factual Basis

This proffer of evidence is not intended to constitute a complete statement of all facts in this matter. The limited purpose of this Factual Basis is to demonstrate that there exists a sufficient legal basis for **ROBINSON**'s plea of guilty to Counts One through Five of the Superseding Bill of Information in the above-captioned case.

Maria M. Carboni 6/27/19
Maria M. Carboni
(Date)
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David Arena 6-27-2019
David Arena
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Counsel for Eric Robinson

Eric Robinson 6-27-19
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