

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

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO. 19-054
v.	*	SECTION: "D" (2)
DAVID JOSEPH HUNTER	*	VIOLATIONS: 18 U.S.C. § 922(j) 18 U.S.C. § 922(n)
	*	
	*	
	*	

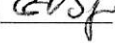
FACTUAL BASIS

Should this matter proceed to trial, the United States will prove beyond a reasonable doubt, through the introduction of credible testimony and admissible evidence, the following facts, to support the allegation in the Indictment.¹

In February of 2017, Victim 1 contacted the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF") regarding the theft of his gun safe, several firearms, ammunition, and a suppressor/silencer. The items were stolen from a family camp located in Tylertown, Mississippi. Victim 1 filed a police report with the Walthall County Sheriff's Department. Victim 1 resides in the Eastern District of Louisiana.

Victim 1 stated that his daughter hosted a multiday party at the family camp between 12/2/16 and 12/4/16. Witnesses confirmed that defendant **DAVID JOSEPH HUNTER ("HUNTER")** attended the party. Also, witnesses observed **HUNTER** in possession of several firearms after

¹ This proffer of evidence is not intended to constitute a complete statement of facts known to the United States. The limited purpose of this factual basis is to demonstrate a sufficient legal basis for the defendant's plea of guilty to the charged offenses.

AUSA 
Defendant 
Defense Counsel 

the conclusion of the party. **HUNTER** then transported the stolen firearms from the State of Mississippi to the State of Louisiana.

The ATF's Multi-Agency Gang Unit continued their investigation and interviewed several individuals who attended the party in Mississippi. Law enforcement listened to **HUNTER's** recorded jail house calls and developed leads regarding the location of the stolen items. On May 12, 2017, law enforcement executed a search warrant at a residence in St. Rose, Louisiana. At one time, **HUNTER** resided at the residence with this then girlfriend and her family members. **HUNTER** stashed the stolen items at the residence. Law enforcement successfully located the safe, firearms paraphernalia, and one firearm:

Item Description	Make	Model	Caliber	Serial Number
Rifle	New England Arms	SB2	45-70	288810

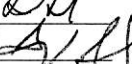
The investigation revealed that majority of the firearms were moved to another location several days prior to the execution of the search warrant. After interviewing several of **HUNTER's** family members, law enforcement determined that the firearms were moved to 2501 Metairie Lawn Dr., Metairie, LA 70002. The occupant of an apartment at that particular address consented to the search of her residence after being approached by law enforcement. Law enforcement located the following firearms from inside the apartment:

Item Description	Make	Model	Caliber	Serial Number
Rifle	DPMS	RFLR-AP4	0.308	28750
Rifle	Marlin	981T	0.22	91612055
Rifle (lower receiver)	Bushmaster	XM15-E2S	0.223	L380236
Rifle (upper receiver)	Ligamec Corp	Ultralite 50	0.5	05-0113
Rifle	Browning	1885 (NRA edition)	45-70	01547MY371
Rifle	Winchester	9422M	0.22	F112950

Four (4) firearms and a suppressor/silencer are still missing:

Item Description	Make	Model	Caliber	Serial Number
Pistol	Walther	P38	9 millimeter	Unknown
Rifle	Winchester	1892	38-40	180289
Rifle	Rock River Arms	AR-15	.223	Unknown
Pistol	Magnum Research	Desert Eagle	.50	36200016
Suppressor/Silencer	Tactical Innovation, Inc.	TAC 16	.223	1691150

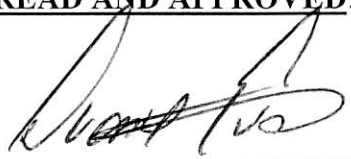
Prior to his possession of the stolen firearms, the State of Louisiana charged **HUNTER**, via a Bill of Information, on August 9, 2016 in Criminal District Court for the Parish of Orleans, Docket No. 530-225 "I," for Second Degree Rape (LA-R.S. 42.1) and Second Degree

AUSA 
Defendant 
Defense Counsel 

Kidnapping (LA-R.S. 44.1). Records show that **HUNTER** made an appearance in the matter prior to his theft of the firearms on August 19, 2016. Prior to possession of the stolen firearms, **HUNTER** knew that the charged felony offenses were punishable by terms of imprisonment exceeding one year. **HUNTER** later pled guilty to both state offenses.

The firearms were not manufactured in the State of Louisiana. In order for any of the stolen firearms to have been recovered in the State of Louisiana, each must have been transported in interstate commerce. The firearm manufacturer designed the firearms to expel a projectile by action of an explosive. Finally, the term "firearm" also includes the frame or receiver of any such weapon, or any firearm muffler or firearm silencer, or destructive device.

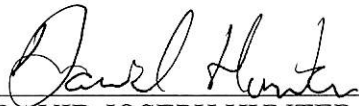
READ AND APPROVED:


DUANE A. EVANS
Assistant United States Attorney

10/30/19
DATE


GARY SCHWABE
First Assistant Federal Public Defender
Counsel for David Joseph Hunter

10-30-19
DATE


DAVID JOSEPH HUNTER
Defendant

10-30-19
DATE