

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

UNITED STATES OF AMERICA

*

CRIMINAL NO. 19-126

v.

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SECTION: "S"

MICHAEL LEWIS

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FACTUAL BASIS

The defendant, **MICHAEL LEWIS**, has agreed to plead guilty as charged to Count 1 of the Indictment. Count 1 charges defendant **MICHAEL LEWIS** with being a felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g).

Should this matter have proceeded to trial, the government would have proven, through the introduction of competent testimony and other admissible evidence, the following facts, beyond a reasonable doubt, to support the allegations in the Indictment:

On Friday May 11, 2018 at approximately 11:45pm officers conducted a traffic stop on **MICHAEL LEWIS** for traffic violations (crossing the center lane and turning without a signal) in Thibodaux, Louisiana. The officers approached **LEWIS** and asked for his license. **LEWIS** did not have a driver's license. Officers also observed an open beer and marijuana on the center console of the vehicle. As deputies conducted a pat down for their safety, **LEWIS** pushed one of the deputies and tried to run. **LEWIS** was then tased by the officers in an effort to subdue him, however, **LEWIS** continued to resist arrest until he was handcuffed. A search of **LEWIS** revealed a loaded gun in his waistband.

A criminal history check revealed that **LEWIS** had several prior felony convictions, including the following:

- 1) a conviction on January 28, 2004, in the 17th Judicial District Court for the State of Louisiana, Parish of Lafourche, under case number C-384806, for Possession of Cocaine, in violation of LA. R.S. 40:967(c)(2). He was then sentenced to serve five years in the custody of the Louisiana Department of Corrections;
- 2) a conviction on February 10, 2014, in the 17th Judicial District Court for the State of Louisiana, Parish of Lafourche, under case number C-518116, for Possession with Intent to Distribute Cocaine, Marijuana, and Methylenedioxymethamphetamine, in violation of LA. R.S. 40:966 and La. R.S. 40:967. He was sentenced to serve eleven years in the custody of the Louisiana Department of Corrections, with five years to be served without the benefit of probation, parole, or suspension of sentence; and
- 3) a conviction on February 10, 2014, in the 17th Judicial District Court for the State of Louisiana, Parish of Lafourche, under case number C-521029, for Possession with Intent to Distribute Cocaine and Marijuana, in violation of LA. R.S. 40:966 and La. R.S. 40:967. He was sentenced to serve eleven years in the custody of the Louisiana Department of Corrections, the first two years to be served without the benefit of probation, parole, or suspension of sentence.

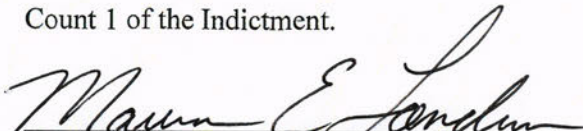
Based on this criminal history **LEWIS** was then booked with being a felon in possession of a firearm.

At trial the Government would call an ATF Agent who was an expert in the field of identification of firearms. He would testify that the firearm (a Smith and Wesson .38 caliber

revolver, serial number 215427) was manufactured by Smith and Wesson in Massachusetts and therefore had to have affected and travelled in interstate commerce to be found and possessed in Louisiana.

By pleading guilty in this matter, **MICHAEL LEWIS**, admits that he knew that he had been convicted in a court of a crime punishable by imprisonment for a term exceeding one year and that he was legally prohibited from possessing a firearm. He also admits that despite this prohibition, he knowingly and illegally possessed a firearm on May 11, 2018.

This proffer of evidence is not intended to constitute a complete statement of all facts known to 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 **MICHAEL LEWIS'** plea of guilty to Count 1 of the Indictment.


MAURICE E. LANDRIEU, JR.
Assistant United States Attorney

11/17/21
Date


MICHAEL LEWIS
Defendant

11/17/2021
Date


JERROD THOMPSON-HICKS
Counsel for Michael Lewis

11/17/2021
Date