

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 22-19

VERSUS * SECTION: "A"

EDWARD DAVIS *

* * *

FACTUAL BASIS

Defendant **EDWARD DAVIS** ("DAVIS") has decided to enter a plea of guilty to Count 1 of a one-count Indictment in the above-captioned matter. Count 1 charges **DAVIS** with being a felon in possession of a firearm, in violation of Title 18, United States Code §§ 922(g) and 924(a)(2).

Should this matter have proceeded to trial, the United States would have proven the following facts beyond a reasonable doubt, through credible testimony and reliable evidence. The facts outlined herein occurred within the jurisdiction of the Eastern District of Louisiana.

COUNT 1

On Tuesday, January 11, 2022, at approximately 9:28 a.m., the Orleans Parish Communications Division (OPCD) received a call concerning a black male subject wearing a red hat and white shirt armed with a rifle at the intersection of North Broad Street and Saint Bernard Avenue in New Orleans, LA. The OPCD relayed the description of the armed subject to the New Orleans Police Department's (NOPD) First Police District. NOPD responded to the area to locate the armed subject, however, they initially were met with negative results. The OPCD then received an additional call reporting an armed subject at the intersection of North Broad Street and Columbus Street. The second call provided the same physical description of

AUSA JP
Defendant ED
Defense Counsel AM

the individual that was previously dispatched. NOPD then responded to the area of North Broad Street and Columbus Street in attempt to locate the subject. NOPD continued to canvass the area in order to locate the armed subject when they arrived at the intersection of Bayou Road and Broad Street. While officers were at the red light at this location, they learned through OPCD that the same armed subject was now inside of the Chase Bank located at [REDACTED] North Broad Street.

NOPD then responded to the Chase Bank, which was one block away from their current position, in an attempt to locate the armed subject. Once officers were inside of the bank, they observed a male subject armed with a rifle in one hand and a handgun in the other hand. The male subject was in the lobby of the bank, near the teller windows. The officers entered the business with their service weapons drawn and gave verbal commands for the armed subject to drop the weapons. The armed subject, later identified as **Edward Davis (DAVIS)**, complied with the officers' commands, and placed the weapons on the floor. The armed subject was immediately taken into custody without further incident. Investigators obtained video surveillance from the interior lobby of the Chase Bank. The interior surveillance shows **DAVIS** enter the bank lobby with a coat draped over the rifle. There are several people inside the bank when **DAVIS** enters the bank. **DAVIS** also matched the physical description of the armed subject which was previously received and broadcasted by OPCD. **DAVIS** sat down on a bench and then proceeded to a column near the teller windows and removed the rifle from underneath the coat. He kept the rifle in his right hand, aiming the firearm at the floor of the bank. **DAVIS** is also observed holding a smaller firearm in his left hand. As revealed by the surveillance video, he did not point a weapon at any person in the bank and surrendered the weapons to the police

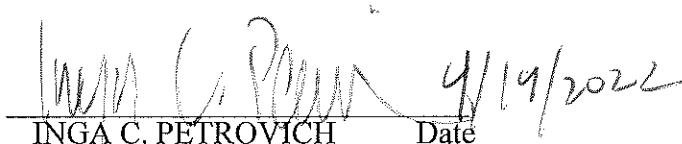
officers when they entered the bank.

Investigators collected the weapons that **DAVIS** was observed possessing and they were found to be a black Radical Firearms RF-15, .223 caliber rifle (Serial Number 20-069095) and a black with brown handle Pietro Baretta Gardone V.T., 9 mm caliber handgun (Serial Number D67785Z). The rifle had a live round in the chamber and there were approximately fifty (50) rounds of ammunition located inside the drum high-capacity magazine which was attached to the weapon. The handgun was loaded with twelve (12) live rounds in the magazine and one (1) live round in the chamber.

Additionally, regarding Count 1, through introduction of documentation and witness testimony, the Government would have established that **DAVIS** has a prior conviction in Orleans Parish Criminal District Court under Case Number 379-877 "D," for possession of cocaine, a violation of LA-R.S. 40:967(C)(2), a felony conviction in Orleans Parish Criminal District Court under Case Number 379-878 "D," for possession of heroin, a violation LA-R.S 40:966(C)(1), a felony conviction in the Eastern District of Louisiana under Case Number 04-230 "F," for felon in possession of a firearm, a violation of Title 18, United States Code, Section 922(g)(1), and a felony conviction in Orleans Parish Criminal District Court under Case Number 501-857 "I," for possession of heroin, a violation of LA-R.S 40:966(C)(1), and possession of alprazolam, a violation of LA-R.S. 40:969(C). **DAVIS**, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly and intentionally possessed the aforementioned firearms listed in Count 1. The firearms were examined by an agent for the Bureau of Alcohol, Tobacco, Firearms and Explosives, and were determined to have been shipped and transported in interstate commerce prior to being possessed by **DAVIS**.

**LIMITED NATURE OF FACTUAL
BASIS**

This proffer of evidence is not intended to constitute a complete statement of all facts, but rather is a minimum statement of facts intended to prove the necessary factual predicate for the guilty plea. The purpose of this factual basis is to demonstrate that there exists a sufficient legal and factual basis for **DAVIS'** plea of guilty to the charged offense in Count 1 of the Indictment and to stipulate that all acts took place within the Eastern District of Louisiana.


INGA C. PETROVICH Date
Assistant United States Attorney


ANNALISA MIRON Date
Attorney for the Defendant


EDWARD DAVIS Date
Defendant